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Author:
U.S. Bureau of the Census
Title:
Taxation and revenue systems of state and...
Place:
Washington, D.C.
Date:
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U. S. *Bureau of the census.*

... Taxation and revenue systems of state and local governments. A digest of constitutional and statutory provisions relating to taxation in the different states in 1912. Washington, Govt. print. off., 1914.

275 p. 31cm.

At head of title: Department of commerce. Bureau of the census. Wm. J. Harris, director.

Prepared in connection with the decennial investigation on Wealth, debt, and taxation, and published in advance of the complete report, under the supervision of Starke M. Grogan, John Lee Coulter, Arthur J. Hirsch, directed by Hickman P. Childers.

1. Taxation, State. 2. U. S.—Census, 13th, 1910. I. Gragan, Starke McLaughlin, 1880– II. Coulter, John Lee, 1881– III. Hirsch, Arthur J. IV. Childers, Hickman P. V. Title.

14—30840

Library of Congress HJ3258.A2 1914

[43t1]

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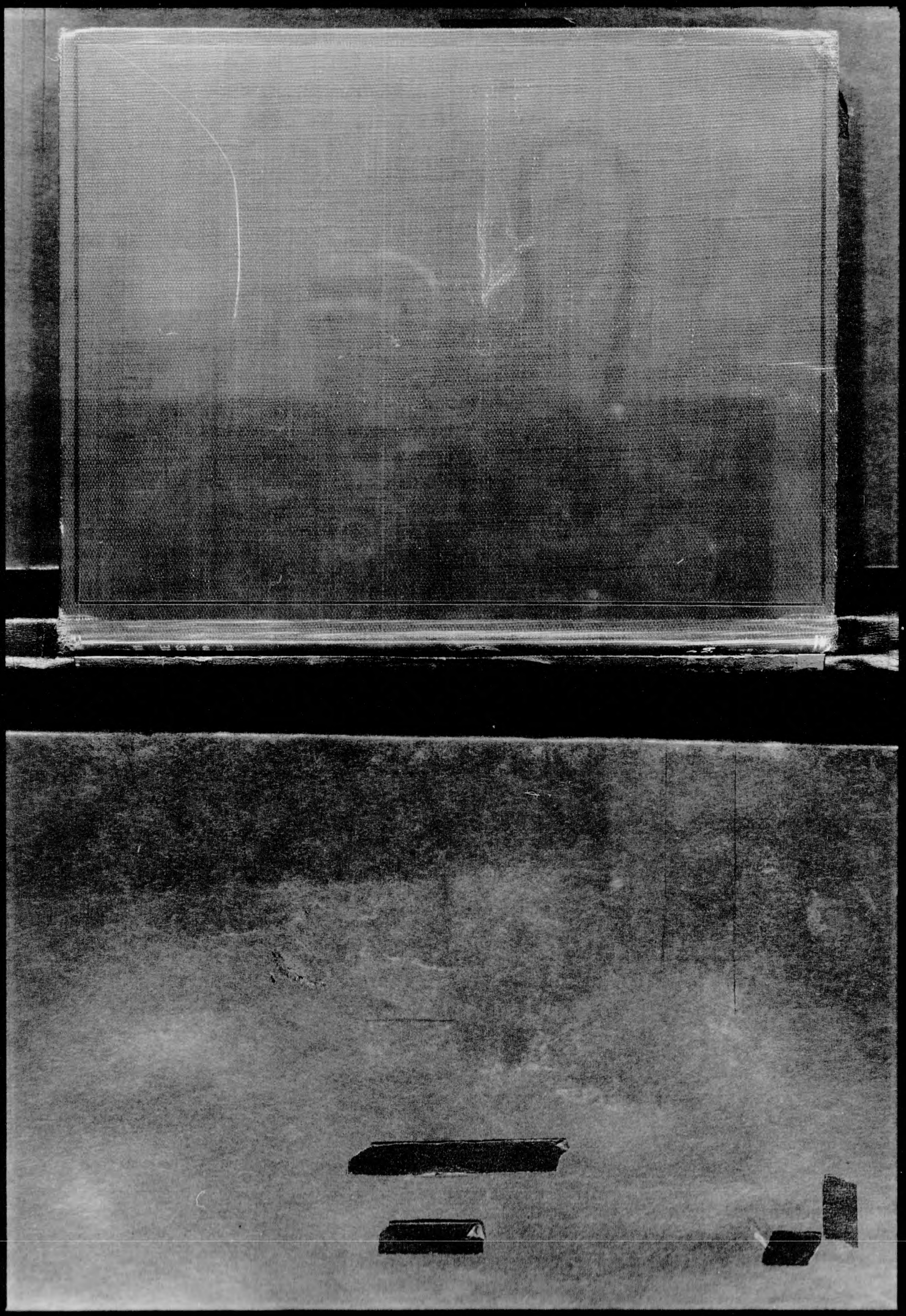

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TAXATION AND REVENUE SYSTEMS

OF STATE AND LOCAL GOVERNMENTS

A DIGEST OF CONSTITUTIONAL AND STATUTORY PROVISIONS
RELATING TO TAXATION IN THE DIFFERENT
STATES IN 1912

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LETTER OF TRANSMITTAL.

DEPARTMENT OF COMMERCE,
BUREAU OF THE CENSUS,
Washington, D. C., October 15, 1914.

SIR:

I have the honor to transmit herewith a bulletin relating to the revenue systems of the state and local governments for the year 1912, with a brief statement of the laws enacted in 1913 which materially affected the revenue systems.

This bulletin has been prepared in connection with the decennial investigation on Wealth, Debt, and Taxation authorized by the permanent census act, and is published in advance of the complete report in order that the information contained in it may not be withheld from the public until the completion of the entire investigation.

This bulletin was prepared under the supervision of Starke M. Grogan, chief statistician in charge of Wealth, Debt, and Taxation, John Lee Coulter, expert special agent in an advisory capacity, Arthur J. Hirsch, chief of division, and was directed by Hickman P. Childers, expert chief of division. Acknowledgment is also made of the services of Henry W. Gardes.

Very respectfully,

W. J. Harris
Director of the Census.

To Hon. WILLIAM C. REDFIELD,
Secretary of Commerce.

TAXATION AND REVENUE SYSTEMS OF STATE AND LOCAL GOVERNMENTS

TAXATION AND REVENUE SYSTEMS OF STATE AND LOCAL GOVERNMENTS.

A DIGEST OF CONSTITUTIONAL AND STATUTORY PROVISIONS RELATING TO TAXATION IN THE DIFFERENT STATES IN 1912.

INTRODUCTION.

This bulletin, which constitutes a part of the investigation of the Bureau of the Census on Wealth, Debt, and Taxation, presents a digest of the laws relating to taxation in the different states. These digests are a revision of similar digests covering the year 1902, published as a part of the report of this bureau on Wealth, Debt, and Taxation for that year.

In order that the revenue laws presented in this section of the work may be studied in their relation to the actual public receipts and expenditures, to be presented in another bulletin, the revision proper covers the legislative enactments up to and including the year 1912. Following the general presentation, there is also set forth for those states whose legislative bodies assembled during the year 1913, a brief statement of the laws enacted in that year which materially affected the revenue systems.

The state laws leave wide discretionary powers to the local governments as to matters relating to taxation, but in each state there are statutory provisions of a general character intended to bring about uniformity in the levy and collection of local taxes within the state. The compilations of the taxation and revenue systems as presented in this bulletin are based upon general statutory provisions only. The provisions relating to taxation and revenues to be found in city charters or ordinances, local in character, have not been included. The compilations are therefore primarily concerned with state taxation and revenues, and county and municipal taxation and revenues are covered only in so far as they have been determined or fixed by general state legislation. In these digests the word "municipal" refers to those divisions of government smaller than, or ranking below, the county, as cities, towns, townships, etc.

The material in the compilations of the taxation and revenue laws of the several states is presented, so far as possible, under fixed headings or classes.

The classification used is as follows:

First—
- General Description, Constitutional Provisions, and Officers.

Second—
- Under each of three main divisions, namely, State Revenues, County Revenues, and Municipal Revenues come the following subdivisions:
  - A. General property taxes.
    - 1. Base.
      - *a.* The property subject to taxation. The exemptions.
      - *b.* Assessment.
      - *c.* Equalization.
    - 2. Rate.
    - 3. Collection.
  - B. Poll taxes.
  - C. The inheritance tax.
  - D. Corporation taxes.
  - E. Business taxes, licenses, and fees.
  - F. The income tax.
  - G., H., etc. Other revenues.

DEFINITIONS.

The following definitions have ruled in the classification of material:

Officers.—This list includes only those officers concerned directly with the assessment, levy, or collection of taxes and other revenues.

Taxes.—Taxes are enforced proportional contributions of wealth, levied and collected in the general interest of a community, from individuals and corporations by virtue of the sovereignty of the nation or state for the support of governments and for the defrayal of all expenses growing out of the public needs.

General property taxes.—These are direct taxes upon the real and personal property of persons, natural and corporate. Under the existing laws in the United States, property taxes are universally levied without reference to benefits conferred upon or enjoyed by the taxpaying property owner. Most property taxes are

apportioned according to the value of the property upon which they are levied, and in so far as they are thus apportioned they are called ad valorem taxes, others not thus apportioned are called specific taxes; Receipts from general property taxes are the principal source of revenue receipts in most American civil divisions.

Poll taxes.—These are direct personal taxes, usually on males, and comprise (1) all so-called poll or capitation taxes, whether levied in specific amounts or levied as *quasi* property taxes based upon an arbitrary valuation of polls, (2) all so-called poll taxes graded in amounts according to occupations, and (3) all exactions of personal services, as work upon the highways or elsewhere, whether classed in statutes as poll taxes or otherwise.

The inheritance tax.—This is a tax levied upon property passing by bequest to any person or corporation, in trust or otherwise, by the intestate laws of a state, or by deed or gift, and intended to take effect after death of the grantor.

Corporation taxes.—This term has been used somewhat broadly to include all taxes levied on corporations generally, when such taxes are notably different in form or administration from the taxes levied on property of private citizens. It does not include all taxes levied on corporations, but only those which appear to take on a special form.

Business taxes, licenses, and fees.—These receipts include the revenues collected from persons, natural or corporate, by reason of the business or calling in which they are engaged, and also all receipts from fees, which are ordinarily associated with the performance of some service by the governmental body for the individual paying. Owing to the want of precision in the use of the words "license" and "fee" in the statutes of the various states, a separation of the two sources of revenue is impracticable.

The income tax.—This is a tax on the incomes, emoluments, profits, or on the excess over a certain amount, of individuals, firms, copartnerships, or corporations, imposed by the act known generally as the income tax law. Such laws are now in force in seven states.

Among the subordinate terms are:

Base.—The kind of property, the classes of persons, the sorts of income or business, or any other measure of productive capacity, on which the tax is levied.

Exemptions.—Items naturally or logically included in the base, but which for reasons of public policy are treated as exceptions and arbitrarily excluded from the base. Items sometimes listed in the statutes as exempt, because the taxable value they represent is levied upon in some other way, are omitted.

Assessment.—Includes two processes: (1) Listing or enrolling, and (2) appraising or valuing the items entering into the base.

Equalization.—Raising or lowering the assessment or appraisal, by districts or by classes of property, in order to produce uniformity.

Rate.—This is the measure of the tax, fixed by the taxing authority, falling on each unit of the base.

Collection.—The process of gathering the revenues, which includes the time of payment, of delinquency, the penalties for nonpayment and delinquency, the lien of the taxing authority, and other matters relating to the enforcement of the levy.

TAXATION AND REVENUE SYSTEMS.

ALABAMA.[1]

The principal sources of revenue in Alabama are: (1) General property taxes, (2) poll taxes, (3) franchise taxes on corporations, and (4) business taxes, licenses, and fees.

The counties and incorporated cities and towns are the only subdivisions of the state with independent powers of taxation.

CONSTITUTIONAL PROVISIONS.

ARTICLE XI.

SEC. 211. All taxes levied on property in this state shall be assessed in exact proportion to the value of such property, but no tax shall be assessed upon any debt for rent or hire of real or personal property while owned by the landlord or hired during the current year of such rental or hire, if such real or personal property be assessed at its full value.

SEC. 212. The power to levy taxes shall not be delegated to individuals or private corporations or associations.

SEC. 213. (Refers to public debt.)

SEC. 214. The legislature shall not have the power to levy in any one year a greater rate of taxation than sixty-five one-hundredths of 1 per cent on the value of the taxable property within this state.

SEC. 215. No county in this state shall be authorized to levy a greater rate of taxation in any one year on the value of taxable property therein than one-half of 1 per cent: *Provided*, That to pay debts existing on the 6th day of December, 1875, an additional rate of one-fourth of 1 per cent may be levied and collected, which shall be appropriated exclusively to the payment of such debts and the interest thereon: *Provided, further*, That to pay any debt or liability now existing against any county, incurred for the erection, construction, or maintenance of the necessary public buildings or bridges, or that may hereafter be created for the erection of necessary public buildings, bridges, or roads, any county may levy and collect such special taxes, not to exceed one-fourth of 1 per cent, as may have been or may hereafter be authorized by law, which taxes so levied and collected shall be applied exclusively to the purposes for which the same were so levied and collected.

SEC. 216. (This section limits the rate in cities, towns, villages, and other municipal corporations to one-half per cent for current purposes; 1 per cent for debts existing December 6, 1875; for the city of Mobile, three-fourths per cent for current purposes and three-fourths per cent for debts existing December 6, 1875; for cities of Birmingham, Huntsville, and Bessemer, and the town of Andalusia, one-half per cent for current purposes and one-half per cent for debts existing at the time of adoption of this constitution; for the city of Montgomery, one-half per cent for general purposes and three-fourths per cent for debts, public schools, and public conveniences; for Troy, Attalla, Gadsden, Woodlawn, Brewton, Pratt City, Ensley, Wylam, and Avondale, an additional tax not to exceed one-half per cent; for Decatur, New Decatur, and Cullman, an additional three-tenths per cent, to be applied, in Decatur, for public schools, public school buildings, and public improvements, and in New Decatur and Cullman exclusively for educational purposes, to be expended by the school trustees; but the additional tax in Troy and the cities named thereafter above must be sanctioned by majority vote at special election.)

SEC. 217. The property of private corporations, associations, and individuals of this state shall forever be taxed at the same rate; provided this section shall not apply to institutions devoted exclusively to religious, educational, or charitable purposes.

SEC. 218. The legislature shall not have the power to require counties or other municipal corporations to pay any charges which are now payable out of the state treasury.

SEC. 219. The legislature may levy a tax of not more than 2½ per cent of the value of all estates, real and personal, money, public and private securities of every kind in this state passing from any person who may die seized and possessed thereof, or any part of such estate, money, or securities, or interest therein transferred by the intestate laws of this state, or by will, deed, grant, bargain, sale, or gift, made or intended to take effect in possession after death of the grantor, devisor, or donor, to any person or persons, bodies politic or corporate, in trust or otherwise, other than to or for the use of the father, mother, husband, wife, brothers, sisters, children, or lineal descendants of the grantor, devisor, donor, or intestate.

ARTICLE XII.

SEC. 221. The legislature shall not enact any law which will permit any person, firm, corporation, or association to pay a privilege, license, or other tax to the state of Alabama and relieve him or it from the payment of all other privilege and license taxes in the state.

SEC. 229. * * * The legislature shall, by general law, provide for the payment to the state of Alabama of a franchise tax by corporations organized under the laws of this state, which shall be in proportion to the amount of capital stock; but strictly benevolent, educational, or religious corporations shall not be required to pay such a tax. * * *

ARTICLE XIV.

SEC. 259. All poll taxes collected in this state shall be applied to the support of the public schools in the respective counties where collected.

SEC. 260. The income arising from the sixteenth section trust fund, the surplus revenue fund, until it is called for by the United States Government, and the funds enumerated in sections 257 (this section makes the principle derived from the sale of certain lands a trust fund) and 258 (this section appropriates donations and escheats to the school funds) of this constitution, together with a special annual tax of 30 cents on each $100 of taxable property in this state, which the legislature shall levy, shall be applied to the support and

[1] This compilation is derived mainly from the following sources:
"The Code of Alabama, 1907," approved July 27, 1907, prepared by James J. Mayfield, commissioner. Published by the Marshall & Bruce Company, Nashville, Tenn., 1907.
The Constitution of Alabama, 1901.
The Session Laws to 1911.
The Revenue Code of the State of Alabama, 1908, published by the auditor: The Brown Printing Company, Montgomery, Ala., 1908. This includes the amendments which became effective May 1, 1908.

maintenance of the public schools, and it shall be the duty of the legislature to increase the public school fund from time to time as the necessity therefor and the condition of the treasury and the resources of the state may justify: *Provided*, That nothing herein contained shall be so construed as to authorize the legislature to levy in any one year a greater rate of state taxation for all purposes, including schools, than 65 cents on each $100 worth of taxable property: *And provided further*, That nothing herein contained shall prevent the legislature from first providing for the payment of the bonded indebtedness of the state and interest thereon out of all the revenues of the state.

SEC. 269. The several counties in this state shall have power to levy and collect a special tax not exceeding 10 cents on each $100 of taxable property in such counties for the support of public schools: *Provided*, That the rate of such tax, the time it is to continue, and the purpose thereof, shall have been first submitted to a vote of the qualified electors of the county, and voted for by three-fifths of those voting at such election; but the rate of such special tax shall not increase the rate of taxation, state and county combined, in any one year, to more than $1.25 on each $100 of taxable property, excluding, however, all special county taxes for public buildings, roads, bridges, and the payment of debts existing at the time of the ratification of the constitution of 1875. * * *

ARTICLE IV.

SEC. 91. The legislature shall not tax the property, real or personal, of the state, counties, or other municipal corporations, or cemeteries; nor lots in incorporated cities or towns, or within 1 mile of any city or town to the extent of 1 acre, nor lots 1 mile or more distant from such cities or towns to the extent of 5 acres, with the buildings thereon, when same are used exclusively for religious worship, for schools, or for purposes purely charitable.

ARTICLE VIII.

SEC. 194. The poll tax mentioned in this article (in section 178, which makes the payment of the poll tax prerequisite to the exercise of the electoral franchise) shall be $1.50 upon each male inhabitant of the state over the age of 21 years and under the age of 45 years, who would not now be exempt by law, but the legislature is authorized to increase the maximum age fixed in this section to not more than 60 years. Such poll tax shall become due and payable on the 1st day of October in each year, and become delinquent on the 1st day of the next succeeding February, but no legal process nor any fee or commission shall be allowed for the collection thereof. The tax collector shall make returns of poll tax collections separate from other collections.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The county tax assessors, one in each county, elected for a term of four years.

The tax assessor is entitled to receive out of the first moneys collected for the state the following commissions on state taxes: In counties where the state taxes assessed do not exceed $12,000 the rate of commission shall be 8 per cent on the first $1,000, 4 per cent on the second $1,000, and 2 per cent on the remainder; in counties where the state taxes assessed exceed $12,000, the commissions shall be the same up to $12,000, 1½ per cent up to $60,000, and 1 per cent on the remainder. He receives the same commissions on county taxes. He gets 5 per cent on back taxes. The tax assessor also receives a fee of 50 cents for making the demand on the taxpayer for his list of assessment, to be charged to the taxpayer and collected with the taxes, and a fee of 25 cents for the issuance and service of each notice to a taxpayer of an increase in his property valuation by the court of county commissioners, to be charged against the taxpayer if the increase is made final, otherwise canceled.

(2) The judge of probate in each county, elected for six years, who makes abstracts for the state auditor and for the collector.

(3) A county tax commissioner, one in each county, appointed by the state tax commission for a term of four years. This officer takes the place of the one formerly known as the "back-tax commissioner." He exercises the functions of the former commissioner and is compensated by a fee of 10 per cent on all escaped, delinquent, and back taxes, except poll, recovered by him. The fee is added to the tax and paid by the taxpayer. In counties having no county tax commissioner, license taxes are collected by the sheriff.

(4) The court of county commissioners, consisting of four members elected for four years, and the judge of probate, constitute a board of review.

(5) The county tax collector, elected for four years, who receives the same commissions as assessors, except on special taxes, on which he receives only 2 per cent.

(6) The state auditor, elected for four years.

(7) The state board of assessors for railroad, telegraph, and telephone companies, composed of the governor, the secretary of state, the auditor, and the treasurer, together with the attorney general, who acts as adviser and decides any tie vote.

(8) The state tax commission, composed of three commissioners, appointed by the governor for four years. The commissioners are paid an annual salary out of the state treasury. This body has general supervisory powers over the entire revenue system and over all officials concerned with taxation. It can revalue and reassess property. Its findings are conclusive on all tax officials and are binding unless changed by a court of competent jurisdiction. It also makes recommendations as to the reform and revision of the revenue system.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All tangible real and personal property and all intangible property of companies operating a public utility are subject to the general property tax.

For purposes of ad valorem taxation, the gross amount of sales at auction; the gross amount of commissions of any factor, broker and commission merchant; the gross receipts of all grain elevators, wharves, and stockyards; and the gross income of all gas works, waterworks, electric light companies, street railways, toll bridges, and ferries, all canals, ditches, channels, passes, tramroads and pole roads, are treated as property.

(1) "Real property" is held to mean not only land, city, town, and village lots, but also all things thereunto pertaining, and all structures and other things so annexed or attached thereto as to pass to a vendee by the conveyance of the land or lot.

(2) "Personal property" is held to include all things, other than real property, which have any pecuniary value, and moneys, credits, and investments in any bonds, stocks, joint-stock companies, or otherwise. Credits include mortgages.

(3) Exempt from taxation, besides public property, are state, county, and municipal bonds; cemeteries; lots and buildings used for religious worship, educational, or purely charitable purposes; all school furniture and personal property used exclusively for school purposes; all property, real or personal, of public agricultural associations, or associations for the education of ministerial students; Tennessee Valley Fair Association; State Fair and Exhibit Association, and all property of state or county fair associations; property of literary and scientific institutions; libraries of ministers of the gospel; all libraries not professional, and religious books kept for sale by ministers of the gospel and colporteurs; deaf-mutes, insane and blind persons, and their property to the extent of $1,000; all family portraits; household furniture to $150; 1 yoke of oxen; 1 cart or wagon; 2 cows and calves; 20 head of hogs; 10 head of sheep; all poultry; all cotton and agricultural crops grown in the preceding year, and all manufactured articles remaining in the hands of producer or manufacturer; provisions and seed; all wearing apparel; all looms and spinning wheels kept for use of family; $25 worth of farming tools or mechanic's tools; 1 sewing machine to each family, when taxable property does not exceed $250; all money on deposit in banks.

Property used in the manufacture of calcium cyanide is exempt for 10 years after beginning construction of such plant. Pig iron is exempt for 12 months from time of production.

All property used and devoted exclusively to the manufacture of patented devices for the protection of human life, is exempt for a period of 10 years from 1907. The patented rights and stock of such corporations are also exempt for said period.

To encourage cotton and woolen factories, it was enacted in 1893 that the county or city authorities might grant them exemption for five years; in 1901 shipbuilding plants were given the same bounty, and it was further provided that cotton factories established since 1897 investing $50,000 therein prior to 1907 should be exempt from all taxes for 10 years, and shipbuilding plants investing $500,000 within five years from 1901 were also exempted from all taxes for 10 years.

To encourage the development of the unused water powers of the state, all property, business, and franchises necessary for the production and distribution of hydroelectric power is exempt for 10 years after the beginning of the construction of any such plant.

b. Assessment.—There is but one assessment list for state and county purposes. The assessment is based upon the actual cash value of the property assessed and is made by the county assessor on the basis of sworn statements furnished by the taxpayers. The assessment of all property is made annually and refers to the 1st day of October; it is made up between that date and the 1st of February with a "supplementary" assessment up to the first Monday in May. Property brought into the state after the 1st of October, unless bought with money already assessed, is taxable. Property is to be valued at its actual cash value. When possible, the assessor is to interrogate the taxpayer personally. The penalty for failure to make a return to the assessor is, in the case of private persons, 10 per cent added to the assessment made by the assessor; in the case of railroad, telegraph, and long-distance telephone companies, and corporations whose gross receipts are taxable as property, the penalty is 50 per cent increase. Besides entering the valuation, the assessor is required to enter separately in the assessment book the amount of state, county, and special taxes on the aggregate of real and personal property. The assessor turns over the assessment book to the judge of probate, who makes the abstract for the state auditor and the county collector. If the assessor discovers property that has escaped taxation in any assessment within five years previous, he assesses the back taxes against that property and for this receives a special commission. No assessment shall be changed to a greater or less amount for the succeeding year, unless there shall be a change in the condition of improvements on the property.

Other provisions in regard to assessment are:

In valuing real estate the location, whether vacant or lying idle or occupied and in use, and, if occupied and in use, the rent derived therefrom, is to be taken into consideration.

Railroad, telegraph, and long-distance telephone companies are assessed on all property, not strictly localized, by the state board of assessors, and the assessment so made is apportioned to each county on the basis of mileage in such county.

The valuation of railroad property not local in character made by the state board of assessors is based "exclusively upon the consideration of what a clear fee-simple title thereto would sell for under the conditions under which that character of property is usually sold."

The value of the franchise or intangible property of railroad, street railroad, and car companies, telegraph and telephone companies, gas, electric light, heat, and power companies, wharf, canal, station, or terminal companies, and other companies operating a public utility is computed from annual statements filed with the state tax commission which form the basis of the assessment. From the true cash value of the company's entire property, ascertained by taking the aggregate market or true value of all its shares of stock and adding thereto the market or true value of its entire indebtedness secured by any mortgage, lien, or other charge upon its property, there is deducted the assessed value of the entire tangible, real and personal, property of such company, and the remainder of the true value is fixed by the state tax commission as the true value for taxation of the franchises or intangible property owned by such company.

The individual shareholders of any corporation paying ad valorem taxes are not required to list its shares for taxation or to pay ad valorem taxes on such shares.

Whenever associations, etc., having no capital stock, engage in business in the state, the capital and property are treated as capital stock, and subject to taxation.

Shares of stock in corporations, other than railroad, telegraph, long-distance telephone, express and sleeping car companies, building and loan associations, and banks, are assessed at market value, and, if the aggregate value of the shares exceeds the aggregate value of the real and personal property of the corporation assessed, are liable to taxation on such excess. The corporation pays for the stockholders the tax on such excess.

Shares of stock in banks are assessed to the stockholders at a fair and reasonable cash value, less the assessed value of real estate taxed to the bank. The bank pays the taxes for the stockholders. Any unincorporated bank shall be assessed at a fair and reasonable cash value.

c. Equalization.—There is no equalization, strictly interpreted, of any part of the assessment in Alabama, but the court of county commissioners sits as a board of review and hears and adjudicates all objections to the assessment, treating them as regular cases on the docket to be tried in the name of the state of Alabama as plaintiff and the taxpayer as defendant. An appeal from its decision may be taken to the circuit court. There is no state board of equalization and no equalization, so called, between counties. But the supervision of assessments by the tax commission is intended to produce equality.

2. *Rate—*

The constitution of 1875 limited the rate which might be levied for state purposes to 75 cents on each $100 of assessed valuation; that of 1901 reduced the

rate to 65 cents. The annual rate is not determined by apportionment, but the code (subject to amendment at each session) fixes the rate in round numbers, and the amount so raised is apportioned for the various purposes.

In 1912 the total rate of 65 cents was divided as follows: 30 cents for schools, 10 cents for the relief of needy Confederate soldiers and sailors, and 25 cents for general purposes.

3. *Collection*—

Taxes are collected by the county tax collector, who is paid for his services by commissions out of the taxes collected, similar to those allowed the assessor, and is allowed small fees, paid by the taxpayer, for collecting delinquent taxes. Taxes are due and payable after the 1st of October and become delinquent on the 1st day of January. The collector attends in each election precinct twice each year and makes appointments for the payment of taxes. Except for the collectors' fees, costs, and interest there are no penalties for delinquency. Delinquent taxes may be collected by seizure and sale of personal property, by garnishment, or by sale of lands under action by the court of county commissioners.

B. POLL TAXES.

The state poll tax (see sec. 194 of Art. VIII of the Constitution), less expenses of levy and collection, is paid into the state treasury and by it disbursed to the county to be expended for the schools within the county of its collection.

1. *Base*—

Every male inhabitant from 21 to 45 years of age not exempt by law. Those exempt are: Township trustees (in charge of schools), all members of Alabama National Guard, and all persons permanently disabled whose taxable property does not exceed $500, deaf-mutes, insane, and blind.

2. *Rate*—

Fixed by the constitution at $1.50 per annum.

3. *Collection*—

Collected by county tax collectors under supervision of state auditor.

4. *Apportionment*—

Apportioned by the state superintendent of education. Each county is entitled to all the poll taxes collected within its bounds, and each township or school district and each race therein to the amount collected therefrom.

C. THE INHERITANCE TAX.

There is, at present, no inheritance tax in Alabama, but the constitution of 1901 provides that the legislature may levy such a tax. (Art. XI, sec. 219.)

D. CORPORATION TAXES.

Corporations without exception are covered, as are private individuals, by the general property tax, by the license taxes, or by both, while certain of them are also subject to special privilege taxes. The constitution of 1901 (Art. XII, secs. 229 and 232) provides that the legislature shall by general law provide for the payment of a franchise tax.

Domestic corporations whose paid-up capital stock does not exceed $50,000, pay an annual franchise tax of $1 per thousand on its paid-up capital stock; if the capital stock exceeds $50,000 and does not exceed $1,000,000, $1 per thousand on the first $50,000, and 50 cents for each thousand of the remainder; if it exceeds $1,000,000 and does not exceed $5,000,000, $1 per thousand on the first $50,000, 50 cents per thousand for the next $950,000, and 25 cents per thousand on the remainder; if it exceeds $5,000,000, $1 per thousand on the first $50,000, 50 cents per thousand on the next $950,000, 25 cents per thousand on the next $4,000,000, and 10 cents per thousand on the remainder.

Foreign corporations authorized to do business in the state pay on their actual amount of capital an annual franchise tax equal to that paid by domestic corporations on their paid-up capital stock.

In addition to this tax, foreign corporations pay to the county an amount equal to one-half the amount paid to the state. The amount of franchise tax to be paid by any foreign corporation is ascertained by deducting from the capital of such corporation the aggregate amount of loans secured by mortgages on real estate.

The following privilege or license taxes on corporations are notable and different in character from the other licenses:

Insurance companies, except fraternal, pay the following amounts to the insurance commissioner on gross premiums received, less the premiums returned by cancellation: Foreign fire, $1.50 on the $100 of gross premiums; other foreign companies pay $2 on the $100 of gross premiums; domestic insurance companies pay $1 on each $100 of gross premiums, less said return premiums; any such domestic company paying a tax on its property or shares may deduct the same from this tax. Fraternal organizations pay an annual license tax of $50, but all funds of such society are exempt from all taxes other than taxes on real estate and office equipment.

Fire insurance companies pay to the insurance commissioner annually, in addition to other taxes, one-fifth of 1 per cent on gross premium receipts, less return premiums, for the purpose of defraying expense of investigation, etc., of fires. Any balance may be transferred to the general state fund.

Express companies doing business between points wholly within the state pay a license or privilege tax of $4,000 per annum, but if such company operates on less than 50 miles of railroad it pays $250; from 50 to 200 miles, $1,000; and from 200 to 500 miles, $2,000.

Sleeping car companies pay an annual privilege tax of $5,500, which is in satisfaction of all other taxes, except a municipal tax which shall not exceed $10.

Telegraph and telephone companies, in addition to the general property tax, pay an annual privilege tax; companies whose lines in the state do not exceed 150 miles pay $1 per mile; over 150 miles, $500, together with $1 for each additional mile. Long-distance telephone companies whose lines do not exceed 200 miles within the state pay, in addition to property taxes, 50 cents per mile; over 200 miles, $250.

On the gross income of freight line and equipment companies a tax of 3 per cent is levied.

Building and loan associations, domestic or foreign, pay a privilege tax of $1 on each $1,000 of paid-up capital stock up to $100,000 and 50 cents on each $1,000 over $100,000, and also taxes on office furniture and real estate, but are not required to pay taxes on mortgages on real estate.

Railroad companies operating lines within the state pay as a railroad license tax such percentage of their gross earnings accruing from business within the state as may be necessary to pay the expenses of the state railroad commission.

Mutual cooperative societies or associations for farming and trucking purposes are exempt from all corporation taxation and licenses.

The courts of county commissioners or other courts of like jurisdiction may levy for county purposes license and franchise taxes not to exceed 50 per cent of such taxes levied for state purposes.

E. BUSINESS TAXES, LICENSES, AND FEES.

For state purposes a large number of licenses are levied.

Confederate soldiers of Alabama are exempt from licenses, state, county, and municipal, for peddling and hunting.

The licenses are as follows; and, except where noted, the amount given is the charge for the license for one year:

Abstract companies, in towns or cities of 20,000 or more, $30; in towns or cities of 10,000 to 20,000, $20; 5,000 to 10,000, $10; less than 5,000, $5. Architect actuaries, $5. Auctioneers, towns or cities of 20,000 or over, $50; 8,000 to 20,000, $30; 5,000 to 8,000, $20; 1,000 to 5,000, $5; transient auctioneers, $50. Automobiles for hire, $25. Automobiles for private use, each car having less than 20 horsepower, $7.50; from 20 to 30 horsepower, $12.50; from 30 to 40 horsepower, $17.50; 40 horsepower or more, $20. Automobiles propelled by steam, $15; by electricity, $12.50. Automobile dealers, $100. Bagatelle or Jenny Lind table, $50. Baseball park in or within 5 miles of towns of 10,000 or less, $10; 10,000 to 25,000, $25; 25,000 to 50,000, $50; 50,000 or more, $100; and, if played on Sunday, the amounts are doubled. Bicycles for rent in cities over 20,000, $15; 10,000 to 20,000, $10; less than 10,000, $5. Billiard table in connection with a saloon, $50. Billiard table not in connection with a saloon, $25. Billposters in cities and towns of 20,000 or more, $25; 10,000 to 20,000, $15; less than 10,000, $5. Bond makers, $50. Book agents, except those selling religious publications, and Federal or Confederate soldiers of the Civil War, or indigent or disabled persons selling only in county of residence, $10 in each county. Bottlers of soft drinks not containing caffeine, in or within 5 miles of towns of 5,000 or less, $25; from 5,000 to 20,000, $50; more than 20,000, $100. If drinks contain caffeine, double the above amounts. Bowling alleys, $25 each. Brewers and agencies of brewers, $1,500. Brokers or commission merchants in towns or cities of less than 2,500, $5; 2,500 to 5,000, $10; 5,000 to 10,000, $15; 10,000 to 25,000, $25; 25,000 or more, $50. Cards, dealers in, $5. Chauffeurs, $5. Cider dealers, retail license of $20 renewed for $2.50 for state and $10 for county. Cigarette dealers outside incorporated cities or villages, $5; in cities of 5,000 or less, $10; 5,000 to 10,000, $15; 10,000 to 20,000, $25; in all other places, $35. Cigar and tobacco dealers in towns of 20,000 or more, $10; less than 20,000, $5. Circuses in or within 5 miles of towns or cities of 5,000 or more, for each day, $150; in other places, $100; pony and dog shows in towns or cities of 10,000 or more, per day, $35; in other places, per day, $25; side shows, per day, $10; flying jennies, $10. Circus parades in towns or cities of more than 100,000, $50; from 50,000 to 100,000, $35; 25,000 to 50,000, $25; in all other places, $15. Civil engineers, $5. Coke or coal dealers in towns or cities of 20,000 or more, $20; 5,000 to 20,000, $10; 5,000 or less, $5. Cold storage, $10. Collecting agencies in cities of 20,000 or more, $100; less than 20,000, $25. Commercial or mercantile agencies, $300. Commissaries, when the number of employees is less than 50, $30; from 50 to 100, $50; more than 100, $100. Compounders and rectifiers, $2,500. Concerts or exhibitions, not wholly for charitable, school, or religious purposes, $10, and if continuous, $5 per day, $15 per week, or $30 per month. Construction companies, $10 in each county. Corporations doing business in Alabama not specifically required to pay some other license whose paid-up capital stock is under $10,000 pay $10; $10,000 to $25,000, $15; $25,000 to $50,000, $25; $50,000 to $100,000, $50; $100,000 to $200,000, $75; $200,000 to $300,000, $125; $300,000 to $400,000, $170; $400,000 to $500,000, $200; $500,000 to $1,000,000, $300; $1,000,000 or more, $500. Banks are exempt. Cotton buyers, $10 in each county. Cotton compresses, compressing not more than 50,000 bales, $50; compressing more than 50,000 bales, $100. Cotton mills, factories, or cottonseed-oil mills, where investment for plant and fixtures is less than $20,000, $10; $20,000 to $50,000, $30; $50,000 to $100,000, $50; $100,000 to $500,000, $100; $500,000 to $1,000,000, $150; over $1,000,000, $200. Dentists, $5. Detective agencies, $50. Devices, such as throwing at figures, cane racks, knife racks, strength and lung testers, etc., $25 in each county. Dice and dice boxes and dominoes in connection with saloon, $50. Dispensaries in towns and cities of less than 500, $250; 500 to 1,000, $500; more than 1,000, $500 and $250 additional for each 1,000 or majority fraction in excess of 1,000. Distillers, $1,500. Dummy railroads, in counties of 40,000 or over, $50; 30,000 to 40,000, $40; less than 30,000, $10. Electric light and power, gas, waterworks, and street railroad companies in cities or towns of 20,000 or more, $200; 10,000 to 20,000, $50; 5,000 to 10,000, $25; less than 5,000, $15. Electrical engineers, $5. Emigrant agents, $500. Entertainments providing dancing for admission fee, $5. Express companies (see Corporation taxes). Feather renovators, $100. Fertilizer factories, $200. Fire, bankrupt, and insolvent sales, $100. Fireworks, in cities of 25,000 or more, $100; 10,000 to 25,000, $50; 5,000 to 10,000, $25; in all other places, $10. Flying jennies, hobbyhorses, or merry-go-rounds in cities and towns of 20,000 or within 1 mile, for each week $5, for each month $10, for each year $30; 2,000 to 20,000, $2.50 per week, $5 per month, $20 per annum; in other places, $1 per week, $2 per month, and $10 per year. Fortune tellers, $5. Fruit stands in cities and towns over 10,000, $5; in other places, $2.50. Dealers in futures, including bucket shops, in towns and cities of 20,000 or more, $5,000; 10,000 to 20,000, $4,000; 5,000 to 10,000, $2,500; 2,500 to 5,000, $2,000; 2,500 or less, $1,000. Garages, $100 for each. Gypsies and traders, $25 for each company. Horse dealers, $20 in each county. Ice factories, daily capacity 10 tons, $15; 10 to 15 tons, $25; over 15 tons, $50. Insurance companies doing a banking business, $50. Itinerant traders, $50. Junk dealers in cities and towns of over 50,000, $100; from 10,000 to 50,000, $50; 3,000 to 10,000, $25; less than 3,000, $5. Laundries (other than those run by hand), $10. Laundries in towns and villages of less than 1,000, exempt. Lawyers, $5. Legerdemain or sleight of hand, $10. Lightning rod agents, $50 in each county and $25 for each team. Liquor dealers (spirituous, vinous, or malt) at retail, $1,500, except in cities of 75,000 or more, $3,000, and in towns of less than 1,000, $900. Wholesale dealers in such liquors, $1,500. Slot machines, $10; "Penny Arcades" and other places where there are several machines, $100 to the state and $50 to the county in towns of over 20,000; in other places, $50 to the state and $25 to the county. Mechanical engineers, $5. Menageries and museums, $25. Merchandise brokers, cities of 25,000 or more, $25; 10,000 to 25,000, $15; 5,000 to 10,000, $10; 2,500 to 5,000, $5; less than 2,500, $2.50. Money lenders, $100; banks exempt. Motorcycles or like vehicles, $3. Manufacturer of or dealer in motor vehicles may, instead of registering each machine, make a verified application to the secretary of state for a general distinctive number for all such vehicles, and same will be granted upon payment of license fee equal to the average horsepower of all machines owned by such manufacturer or dealer on the basis of $1 for each horsepower up to 20, and 50 cents for each horsepower in excess thereof. Mutual companies having no capital stock, $25. News companies, $100 in lieu of all state and county licenses. Oils, illuminating, lubricating, or fuel at wholesale, one-half of 1 per cent of gross sales. Oil tanks for storing, or from which oil is sold or delivered and of more than 100 gallons capacity, $2.50; in all other places, on each tank of more than 100 gallons capacity, $5. Cottonseed-oil mill tanks for own use, exempt. Opticians, $5. Osteopaths, $5. Patent rights, $5 in each county. Pawnbrokers, $150 with $50 extra if pistols are sold. Peddlers of medicines, $100 for each county, one-half for the county; spectacles or eyeglasses, $5 for each county; peddlers of

medicine, with vocal or instrumental music, or both, $100 in each county; in wagon drawn by one horse or other animal, $15; two or more horses, $35; on a horse or other animal, $15; on foot, $10; when accompanied by singers or performers on musical instruments, $100. Exempt are: Peddlers of tinware only; wooden, stone or clay hollowware only; tanners, disabled persons, peddlers of fish, oysters, game, fresh meats, poultry, fruit, and all farm products raised by the seller. Peddlers of clocks, $500, and $250 in each county. Peddlers of drugs, $250. Photographers in railroad cars, $25; traveling in any other way, $5. Physicians, $5. Piano and organ dealers, $100 in each county; having permanent place of business, $100 to state. Pictures or picture frames, $25 in each county. Pig-iron storage companies, $50. Dealers in pistols, rifles, cartridges, noiseless guns, bowie or dirk knives, or brass knuckles, $100. Plumbers or gas fitters in towns of 10,000 or more, $25; in other places, $10. Pool tables for pin pool, $100; other pool tables and in connection with saloon, $25; not in connection with saloon, $25. Public accountants, $5. Public halls in towns of 5,000 or more, $25; 2,000 to 5,000, $15; 2,000 or less, $10. Race tracks at or within 5 miles of towns of 5,000 or less, $100; more than 5,000, $200. Railroad ticket brokers, except agents of a railroad, in cities and towns of 10,000 or more, $100; less than 10,000, $50. Real estate brokers or agents in cities or towns of 10,000 or more, $15; 5,000 to 10,000, $10; less than 5,000, $5. Restaurants in towns and cities of more than 50,000, $20; 20,000 to 50,000, $10; all other places, $5. Sewing-machine agents, $50 in each county, and $25 for each team. Shooting galleries, $15. Skating rink, $25. Social clubs selling liquor only to members, $300. Soda fountains, $5. Stock and bond dealers, $35. Stove and range agents, $50 in each county and $25 for each team. Supply cars, $100. Telephone companies, in cities and towns of 20,000 or more, $50; 10,000 to 20,000, $25; 1,000 to 10,000, $10; in all other places, $5. Private lines between residences, exempt. Theaters or moving-picture shows in cities and towns of more than 20,000, $150; 7,000 to 20,000, $50; 3,000 to 7,000, $25; 3,000 or less, $20; open-air theaters, $50. Toll bridges or ferries within 2 miles of town or city of 2,000, when income is more than $300 and less than $600, $5; same when income does not exceed $1,200, $25; in or within 2 miles of town or city of 2,000 to 5,000, $50; 5,000 or more, $75. Persons, etc., issuing trading stamps to merchants, when amount of stamps sold does not exceed $5,000 per annum, state license or privilege, $1,000, county, $500; from $5,000 to $10,000, state $2,000, county, $1,000; exceeding $10,000, state $5,000, county $3,000. Veterinary surgeons, $5. Wagons and buggies, $50 for each county and $10 for each team. Warehouses or elevators for the storage of cotton, storing not more than 10,000 bales a year, $25; 10,000 to 20,000, $50; 20,000 to 30,000, $75; more than 30,000 bales, $100. Witness and jury certificates, dealing in claims against the state, $10.

A license must be obtained from the Alabama Oyster Commission to catch oysters and other sea-food products from public waters for commercial purposes; on a vessel of less than 1 ton burden, $1; from 1 to 5 tons, $2.50; 5 to 10 tons, $5; 10 to 20 tons, $10; 20 tons or more, $15. A fee of 50 cents is paid for the issuance of such licenses. License tag or sign for vessels over 1 ton, $1; less than 1 ton capacity, 50 cents. Canning factories pay an annual privilege tax of $100 for each steam box; retail dealers in sea-food products, $5; wholesale dealers in same, $10; a fee of 50 cents is collected for issuing license. There is a further tax of 3 cents per barrel upon all oysters, 25 cents per barrel on all shrimp, and 5 cents on each terrapin or turtle packed or caught in the state for commercial purposes. Minimum rental of bottom 50 cents per acre per annum; maximum, $5. The funds, except the 50 cents for license fee, which is retained by the secretary of the commission, are paid over to the credit of the Alabama Oyster Commission and deposited in Mobile. Dealers in commercial fertilizers pay $1 per annum. All fertilizers sold in packages of 200 pounds or less must bear state tax tag, for which a payment of 3 cents is collected; 100 pounds or less, 1½ cents.

The foregoing state license taxes are collected by the county tax commissioners, and in any county where there is no county tax commissioner such taxes are collected by the sheriff. All liquor licenses are paid to the judge of probate. For issuing such license he receives a fee of 50 cents and for disbursing the license tax 1 per cent upon all amounts so received. Receipts from liquor licenses are distributed by the probate judge as follows: In cities of under 75,000 inhabitants, 20 per cent to the state treasurer, 40 per cent to the treasurer of city or town in which license is issued, and 40 per cent to the county treasurer; in all other cities, 65 per cent to the city treasurer, 25 per cent to the county treasurer, and 10 per cent to the state treasurer.

Upon all instruments in the nature of a mortgage the following privilege taxes are to be paid: If to secure an indebtedness not exceeding $100, 15 cents; if more than $100, 15 cents for each $100 or portion thereof. Bonds for title, and all deeds, where part of the purchase money remains unpaid, are subject to the same tax.

Corporations, before a commission shall issue, pay the judge of probate, in the county where their chief place of business is, for the benefit of the state, the following fees:

Before the filing of a certificate of incorporation by the probate judge of the county in which the principal business of the proposed corporation is to be established, the incorporators are required to pay $1 for every $1,000 of the proposed capital stock, but in no case less than $5. Also small fees for filing papers, making copies thereof, etc. The same fees are charged foreign corporations. Insurance companies of every sort pay the insurance commissioner the following fees: For filing charter, $100; for each annual statement, $100; agents' certificates and renewals, $2.50; seal of office, $1; copies of papers, 10 cents per 100 words.

Pharmacists.—Examination, $5; assistant pharmacist, $3; renewal of license, $1; life certificate, $10; permit to an assistant pharmacist to conduct a drug store in a town of not more than 800 inhabitants, $1, and $1 for renewal. Physician.—Examination, $10. Mine foreman.—Examination fee, $5; fire boss certificate, $3; renewal certificate, $1; amount payable to board of examiners.

Dentist.—Examination, $10.

Admission to bar.—Examination, $10.

Commissioner of agriculture and industries is paid a fee of 20 cents per ton for each ton of commercial feeding stuff sold.

Examination of banks by state official.—Capital of less than $15,000, $5; $15,000 to $25,000, $7.50; $25,000 to $50,000, $10; $50,000 to $100,000, $12.50; $100,000 to $150,000, $15; $150,000 to $250,000, $17.50; $250,000 to $350,000, $20; $350,000 or over, $25.

Fees to be paid by banks to defray expense of banking department; where capital, surplus, and undivided profit is $25,000 or less, $15; $25,000 to $50,000, $25; $50,000 to $75,000, $35; $75,000 to $100,000, $45; $100,000 to $125,000, $55; $125,000 to $150,000, $65; $150,000 to $175,000, $75; $175,000 to $200,000, $85; $200,000 to $225,000, $95; $225,000 to $250,000, $105; $250,000 to $500,000, $150; in excess of $500,000, $200. Banks having branches pay a total of not less than $15 for each office or branch; no other assessment or license of any kind shall be levied against or collected from any bank, except the ordinary taxes assessed against property in general, except that municipalities may levy a license in proportion to the capital, etc., as follows: $25,000 or less, $10; $25,000 to $50,000, $20; $50,000 to $75,000, $30; $75,000 to $100,000, $50; $125,000 to $150,000, $60; $150,000 to $175,000, $70; $175,000 to $200,000, $80; $200,000 to $225,000, $90; $225,000 to $250,000, $100; $250,000 to $500,000, $150; in excess of $500,000, $200; and on each branch bank, $10.

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F. THE INCOME TAX.

There is no income tax in Alabama.

G. DISPENSARY PROFITS.

In cities of less than 75,000 inhabitants the profits of dispensaries are apportioned as follows: To the city or town, 45 per cent; to the county, 45 per cent; and to the state, 10 per cent; the city or town is first reimbursed for amount invested in dispensary with 6 per cent interest. In cities of 75,000 inhabitants or over the apportionment corresponds to that for distribution of returns from liquor licenses. Dispensaries pay no license or privilege tax. The money paid to a city or town may be used at discretion of the legislative body thereof; money paid to the county treasurer is to be expended in maintenance and support of the public schools of the county, and in the improvement and maintenance of public roads of said county, except that 10 per cent of said sum is to be used by the court of county commissioners in paying pensions to Confederate veterans of said county.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the method of assessment and of equalization are the same for county as for state purposes.

2. *Rate*—

The rate is fixed by the court of county commissioners and a special rate may be levied for erecting or repairing county buildings and for improving and maintaining public roads, the latter not to exceed one-fourth of 1 per cent.

Various counties have special taxes assessed for road and bridge purposes. Some counties have wheel taxes.

3. *Collection*—

Made by county collector at the same time and in the same manner as state taxes.

The tax assessor of each county is entitled to receive from the tax collector, out of the first moneys collected, for each town or city of over 100,000 inhabitants the following amounts: Four-tenths of 1 per cent for the city tax years ending September 30, 1912, and September 30, 1913, and thereafter two-tenths of 1 per cent.

The tax collector of each county is entitled to a commission on tax collection in cities of over 100,000 population as follows: For city tax, year of September 30, 1912, three-tenths of 1 per cent of amount collected for each such city, and thereafter two-tenths of 1 per cent.

Judges of probate of respective counties receive a commission at the rate of 2½ per cent on money received by them for each city of over 100,000 inhabitants on redemption for tax sales.

B. POLL TAXES.

Able-bodied adult males may be required to work on the roads as may be necessary, anywhere within 6 miles of their residence, but not to exceed 10 days per annum; or, in default of labor, to pay not less than $1 nor more than $3 per day of required service.

D. CORPORATION TAXES.

Foreign corporations pay to the county an amount equal to one-half the amount of the franchise tax paid to the state by said corporation. (See State Revenues.)

E. BUSINESS TAXES, LICENSES, AND FEES.

The court of county commissioners may levy license taxes additional to the state license tax and on the same subjects up to 50 per cent of the state tax except where otherwise provided.

Rates especially mentioned are for lightning-rod agents, $10; for peddlers of medicine, $50; peddlers of clocks, $250; supply cars, $10. Dogs may be registered and a fee of 25 cents, together with a tax of $1, must then be paid to judge of probate. Some counties have a special dog tax.

G. DISPENSARY PROFITS.

For county's share, see Dispensary Profits, under state revenues.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included is the same as for state taxation.

Assessment.—Municipalities may make an annual assessment of their own.

Equalization.—There is no equalization proper, but the intendant and the alderman hold a meeting to "correct errors."

2. *Rate*—

The municipal rate is limited by the constitution of 1901 to one-half of 1 per cent of the valuation of property as assessed for state purposes, and is fixed by the municipal authorities. (See citations from constitution for numerous special provisions.)

Courts of the county commissioners and boards of revenue of the county where there is levied a special road and bridge tax, pay to each municipality one-half of the money collected therein on such road or bridge tax.

Municipalities may levy special taxes or assessments for sprinkling and sweeping streets.

3. *Collection*—

The municipal authorities may appoint some person to collect taxes; in towns of over 100,000 population, the county tax collector is ex officio city tax collector. The levy has the force of a judgment and may be enforced in a manner analogous to that for state taxes. Insolvent city taxes are collected by the county tax collector.

B. POLL TAXES.

Municipalities may levy a poll tax for road or street purposes of not exceeding $2 on each able-bodied adult male inhabitant who has resided therein three months.

D. CORPORATION TAXES.

There are no corporation taxes as such. (See Business taxes, etc.)

E. BUSINESS TAXES, LICENSES, AND FEES.

Express companies pay the following license taxes annually:

In municipalities having a population of 500 or less, $2.50; 500 to 1,000, $15; 1,000 to 2,000, $25; 2,000 to 3,000, $35; 3,000 to 4,000, $45; 4,000 to 5,000, $75; 5,000 to 10,000, $125; 10,000 to 15,000, $175; 15,000 to 20,000, $200; 20,000 to 25,000, $250; 25,000 to 30,000, $300; 30,000 or over, $500.

The following municipal taxes may be levied on common carriers:

In municipalities having a population not exceeding 250 inhabitants, $10; more than 250 and not exceeding 500, $15; more than 500 and not exceeding 750, $20; more than 1,000 and not exceeding 5,000, $25 for the first thousand and $25 for each additional thousand or major fraction thereof; more than 5,000 and not exceeding 10,000, $25 for first thousand and $30 for each additional thousand or majority fraction thereof; more than 10,000, $25 for first thousand and $35 for each additional thousand or majority fraction thereof. In no case may any municipality collect such a tax exceeding $2,000.

A municipal tax on street railway, electric light, gas and steam heating and waterworks companies shall not exceed 2 per cent of the gross receipts of such business. Any amount paid as intangible property tax is allowed as a credit on and against such license tax.

Telegraph and long-distance telephone companies may be taxed by municipalities for the privilege of doing business.

All municipal corporations are empowered to levy and collect a license tax on all exhibitions, trades, businesses, vocations, occupations, and professions, charging a fee of 50 cents for issuing such license. (Insurance companies are exempt from this tax.)

Municipal corporations may assess upon fire and marine insurance companies $4 on each $100 of gross premiums, less premiums returned by cancellation; except that such municipal corporation may charge a flat minimum license at the beginning of the year for new companies, not to exceed 4 per cent of the gross premiums, less returns.

In addition to the amount paid the state, the several cities and towns may collect from insurance companies, other than fire and marine, for the privilege of doing business a privilege or license tax based on population, according to gross premiums, less returns; population 5,000 or less, $10 and $1 on each $100 of premiums; 5,000 to 10,000 population, $15 and $1 on each $100 of premiums; 10,000 to 50,000 inhabitants, $20 and $1 on each $100 of premiums; over 50,000 inhabitants, $50 and $1 on each $100 of premiums.

Municipalities may levy a license tax on banks of from $10 to $200, based on the amount of capital stock.

(See E, under State Revenues.)

G. DISPENSARY PROFITS.

For share of municipalities see Dispensary profits, under State Revenues.

School Revenues.

The schools are administered in districts or city school districts, each of which receives from the state treasury through the county its apportionment of the lump-sum appropriation or of the proceeds of the rate levied especially for schools, now fixed by constitution not to exceed 3 mills; also in the same manner all poll taxes collected within its bounds; an apportionment of the sixteenth section fund and other funds derived from the sale of lands, and 4 per cent on surplus revenues of the United States deposited with the state; all escheats to the state; and certain licenses. (See Constitutional provisions.)

Various counties have special tax levies for school purposes.

Part of the amount received by the county as its proportion of revenue derived from the net profit of dispensaries is expended for school purposes.

Any surplus accruing under the pure food and drug act is to be applied to the public school fund.

ARIZONA.[1]

Arizona depends for revenue mainly upon the general property tax. It is supplemented by a poll tax, an inheritance tax, and licenses.

CONSTITUTIONAL PROVISIONS.

ARTICLE IX.

Sec. 1. The power of taxation shall never be surrendered, suspended, or contracted away. All taxes shall be uniform upon the same class of property within the territorial limits of the authority levying the tax, and shall be levied and collected for public purposes only.

Sec. 2. There shall be exempted from taxation all Federal, state, county, and municipal property. Property of educational, charitable, and religious associations or institutions not used or held for profit may be exempted from taxation by law. Public debts, as evidenced by the bonds of Arizona, its counties, municipalities, or other subdivisions, shall also be exempt from taxation. There shall further be exempt from taxation the property of widows, residents of this state, not exceeding the amount of $1,000, where the total assessment of such widow does not exceed $2,000. All property in the state not exempt under the laws of the United States or under this constitution, or exempted by law under the provisions of this section, shall be subject to taxation to be ascertained as provided by law.

Sec. 3. The legislature shall provide by law for an annual tax sufficient, with other sources of revenue, to defray the necessary ordinary expenses of the state for each fiscal year. And for the purpose of paying the state debt, if there be any, the legislature shall provide for levying an annual tax sufficient to pay the annual interest and the principal of such debt within 25 years from the final passage of the law creating the debt.

No tax shall be levied except in pursuance of law, and every law imposing a tax shall state distinctly the object of the tax, to which object only it shall be applied.

[1] This compilation is based mainly upon the Revised Statutes of Arizona, 1901, and Acts of Arizona to 1913.

All taxes levied and collected for state purposes shall be paid into the state treasury in money only.

Sec. 4. The fiscal year shall commence on the 1st day of July in each year. An accurate statement of the receipts and expenditures of the public money shall be published annually, in such manner as shall be provided by law. Whenever the expenses of any fiscal year shall exceed the income, the legislature may provide for levying a tax for the ensuing fiscal year sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses of the ensuing fiscal year.

Sec. 6. Incorporated cities, towns, and villages may be vested by law with power to make local improvements by special assessments or by special taxation of property benefited. For all corporate purposes all municipal corporations may be vested with authority to assess and collect taxes.

Sec. 9. Every law which imposes, continues, or revives a tax shall distinctly state the tax and the objects for which it shall be applied; and it shall not be sufficient to refer to any other law to fix such tax or object.

Sec. 10. No tax shall be laid or appropriation of public money made in aid of any church, or private or sectarian school, or any public service corporation.

Sec. 11. The manner, method, and mode of assessing, equalizing, and levying taxes in the state of Arizona shall be such as may be prescribed by law.

Sec. 12. The law-making power shall have authority to provide for the levy and collection of license, franchise, gross revenue, excise, income, collateral, and direct inheritance, legacy, and succession taxes, also graduated income taxes, graduated collateral and direct inheritance taxes, graduated legacy and succession taxes, stamp, registration, production, or other specific taxes.

ARTICLE XI.

Sec. 10. * * * the legislature shall make such appropriations, to be met by taxation, as shall insure the proper maintenance of all state educational institutions, and shall make such special appropriations as shall provide for their development and improvement.

ARTICLE XIV.

Sec. 17. Provision shall be made by law for the payment of a fee to the state by every domestic corporation, upon the grant, amendment, or extension of its charter, and by every foreign corporation upon its obtaining a license to do business in this state; and also for the payment, by every domestic corporation and foreign corporation doing business in this state, of an annual registration fee of not less than $10, which fee shall be paid irrespective of any specific license or other tax imposed by law upon such company for the privilege of carrying on its business in this state, or upon its franchise or property; and for the making, by every such corporation, at the time of paying such fee, of such report to the corporation commission of the status, business, or condition of such corporation, as may be prescribed by law. No foreign corporation shall have authority to do business in this state until it shall have obtained from the corporation commission a license to do business in the state, upon such terms as may be prescribed by law. The legislature may relieve any purely charitable, social, fraternal, benevolent, or religious institution from the payment of such annual registration fee.

ARTICLE XX.

Fifth. The lands and other property belonging to citizens of the United States residing without this state shall never be taxed at a higher rate than the lands and other property situated in this state belonging to residents thereof, and no taxes shall be imposed by this state upon lands or property situated in the state belonging to or which may hereafter be acquired by the United States or reserved for its use; but nothing herein shall preclude the state from taxing, as other lands and other property are taxed, any lands and other property outside of an Indian reservation owned or held by any Indian, save and except such lands as have been granted or acquired as aforesaid, or may be granted or confirmed to any Indian or Indians under any act of Congress, but all such lands shall be exempt from taxation so long and to such an extent as Congress has prescribed or may hereafter prescribe.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The county assessors, elected for a term of two years.

(2) The county treasurer, who is ex officio tax collector.

(3) In incorporated cities an assessor is elected, who is ex officio tax collector. He is compensated by fees, which are added to the property taxes and licenses.

(4) The state board of tax commissioners, three persons appointed by the governor for the first term. All subsequent incumbents of the office shall be elected at general elections. The commissioners exercise general supervision of the entire system of taxation throughout the state, prescribe all forms of books used in the assessment and collection of taxes, superintend the collection of inheritance taxes, and appraise and assess all express companies, sleeping car companies, and private car lines.

(5) The state board of equalization, composed of the chairman of the corporation commission, the state auditor, and the state tax commission; the state auditor is president of the board, and the secretary of the tax commission is secretary of the board. They also constitute the board of assessment for the property of inter-county telegraph, telephone, and railroad companies.

(6) The county board of equalization, consisting of the board of supervisors of the county.

(7) The county board of supervisors of three members. The supervisor receiving the highest number of votes holds the office for four years; the others for two years.

(8) The city board of equalization, consisting of the mayor and the council.

(9) The state auditor.

State Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All property of every kind and nature whatsoever within the state, except as specially exempted, is subject to this tax.

(1) Real estate is defined to include the ownership of, or claim to, or possession of, or right of possession to any land, but it does not include unpatented mining claims, either lode or placer. Water ditches constructed for mining, manufacturing, or irrigating purposes, telegraph lines, and wagon, turnpike, and toll roads, are treated as real estate.

(2) Personal property includes all property not included under real estate. Whenever solvent debts (credits) are assessed, the person assessed may deduct his liabilities. Shares of stock are declared to possess no value beyond that of the property of the corporation for which they stand and are not taxable to the stockholders, but the property they represent is taxable to the corporation. Bank stock is excepted from this rule and is taxable to the stockholders. Property under mortgage or lease shall be listed by and taxed to the mortgagor or lessor, unless it be listed by the mortgagee or lessee.

(3) The exemptions are: All Federal, state, county, and municipal property; public debts as evidenced by bonds of Arizona, its counties, municipalities, or other subdivisions; property of educational, charitable, and religious associations or institutions not used or held for profit; property of resident widows not to exceed

$1,000, where their total assessment does not exceed $2,000. To encourage the construction of railroads, other than street and electric, the franchises, right of way, roadbeds, bridges, culverts, station grounds, depots, water tanks, coal bins, turntables, roundhouses, machine shops, section houses, and all real property used in the actual operation and construction of railroads are exempt from all taxation until March, 1919: *Provided*, That said construction shall begin within three and one-half months after March 18, 1909, and shall be completed within one year from date of commencement of said construction. Dams and reservoirs constructed after 1907 for irrigation, power, or mining purposes, or for watering stock are exempt until 1917.

b. Assessment.—All property, except that of railroads, telephone, telegraph, express and sleeping car companies, and private car lines, is assessed by the county assessors. It is to be assessed at its full cash value, which is defined as "what the property would be taken for in payment of a just debt due from a solvent debtor." The assessment refers to the first Monday in February and the roll must be made up between that date and the first Monday in June. The assessment is based upon a sworn statement furnished to the assessor by the taxpayer, or, in neglect thereof, upon the best information obtainable. The penalty for furnishing a false list is assessement at five times the amount of tax for the year and loss of all rights before the board of equalization. Fifty per cent of the penalty goes to the informant. The refusal to file a statement constitutes a misdemeanor punishable by a fine of not less than $10 nor more than $300, or imprisonment for not less than two days nor more than three months, or both. The assessor is liable on his bond for the taxes on property which he neglects to assess.

All lands within any irrigation district shall be valued by the assessor at the same rate per acre.

It is the duty of the county assessor to furnish the tax commission a list of corporations, associations, banks, and individuals, doing business of a public character, whose assessed valuation is $3,000 or more, together with a statement of the property thereof, and the valuation placed on same for assessment purposes.

The property of railroads, except such as is not used in connection with the operation of the roads, is assessed by the state board of equalization. The property so assessed includes the franchise, intangible values, right of way, roadbed, bridges, culverts, rolling stock, depots, station grounds, buildings, telegraph lines, and other property used exclusively in the operation of the railway. The assessment so made is apportioned among the counties and municipalities on the basis of the number of miles of main track.

Shares of bank stock are assessed to the shareholders, but the tax, being a lien on shares and dividends, may be paid by the bank.

Every telegraph and telephone company is subject to a tax on its property, franchises, and intangible values. Each county is apportioned such part of the entire valuation as will equal the relative value of the property of the company therein, in proportion to the whole value of the property in the state, and in proportion that the length of the line owned by the company in the county bears to the length of the whole line in the state.

Transient herds of cattle, sheep, or goats are assessable where the owner resides. The tax collector apportions the tax paid to the various counties entitled thereto in such proportion as the fractional part of the year which the herds have ranged in each county bears to the whole, as shown by the owner's affidavit.

c. Equalization.—The county board of supervisors acts as a county board of equalization, and may increase or lower any individual assessment, and may require the assessor to amend the roll or may itself amend it. An appeal from this board lies to the superior court of the county.

The state board of equalization convenes on the second Monday in August of each year for the purpose of examining the various assessments so far as regards the state tax and of equalizing the assessment in the various counties. It may increase or diminish the valuation of property in any county as much as in its judgment may be necessary to produce a just relation between all valuations of property in the state; but in no instance shall it reduce the aggregate valuation of all the counties below the aggregate valuation as returned by the board of supervisors of each county.

2. *Rate*—

The state board of equalization determines the tax rate, fixing such rates for the several funds as will raise the amounts authorized by the laws creating those funds. If for any reason the board fails to convene, a rate of 5 mills is deemed to be levied.

The state rate for all purposes for the fiscal year ending June 30, 1913, was $1.78 on $100 valuation.

There is annually levied and collected a sufficient tax to raise the sum of $250,000 to be known as the "state road tax fund," which is expended for the construction, reconstruction, repairing, improving, and maintaining of public highways, roads, and bridges. Twenty-five per cent of said fund is paid out upon the authority and under the direction of the state board of control and the state engineer; 75 per cent is apportioned to the several counties. It is the duty of the state auditor to keep a complete account of all moneys received for and expended out of this fund.

There is levied annually upon the taxable property in the state a sufficient sum to pay the interest on all bonds issued for the payment of existing and future state, county, municipal, and school district indebtedness. Each year after such bonds have been issued such additional amount is levied as will pay 4 per cent of the total amount issued until all the bonds are paid. All moneys derived from such taxes are paid into the state treasury, and applied to the payment of the interest and principal of the bonds issued. All moneys remaining in the redemption fund after the discharge of the bonds, are transferred to the state general fund.

3. *Collection*—

State taxes, together with county and municipal taxes, are extended on one duplicate assessment roll and are all collected by the county tax collector. Taxes on personal property, however, when they are not secured by real estate are collected by the assessor. Taxes become delinquent on the third Monday in December. The penalty for delinquency is 12 per cent interest per annum and costs, including 25 per cent attorney's fee, and clerk's fees. Taxes are a general lien on all property of the taxpayer, and may be collected by seizure and sale.

B. POLL TAXES.

There are no state poll taxes. (See County Revenues and Municipal Revenues.)

C. THE INHERITANCE TAX.

All property within the jurisdiction of the state, and any interest therein, whether belonging to the inhabitants of the state or not, and whether tangible or intangible, which shall pass by will or by statutes of inheritance of this or any other state, or by deed, grant, bargain, sale, or gift made in contemplation of the death of the grantor, or intended to take effect in possession or enjoyment after the death of the grantor to any person or body politic or corporate, in trust or otherwise, is subject to an inheritance tax to be paid to the state treasurer for the use of the state as follows:

When such inheritance passes to any grandfather, grandmother, father, mother, husband, wife, child, brother, sister, wife or widow of son, or the husband of a daughter, or any adopted child or children, or to any person to whom the decedent has stood for more than 10 years in loco parentis, or to any lineal descendant, the tax is at the rate of 1 per cent on the appraised value thereof. Any such estate valued at less than $10,000 is exempt, and the tax is levied only on the excess of $5,000 received by each person.

When such inheritance passes to any uncle, aunt, niece, nephew, or lineal descendant of the same, the tax is at the rate of 2 per cent. Estates valued at less than $5,000 are exempt and the tax is levied only on the excess of $2,000 received by each person.

In all other cases the tax is as follows: On all amounts not exceeding $10,000, 3 per cent; over $10,000 and not exceeding $20,000, 4 per cent; over $20,000 and not exceeding $50,000, 5 per cent; over $50,000, 6 per cent. Any such estate valued at less than $500 is exempt.

If the tax imposed upon inheritance is paid within eight months from the accruing thereof, a discount of 5 per cent is allowed; if not paid within eight months, 8 per cent interest is collected. In all cases when a bond is given interest is charged at the rate of 6 per cent.

Every inheritance tax is a lien upon the property, and the person to whom such property is transferred, and the administrators, executors, and trustees of every estate embracing such property are personally liable for the tax until its payment.

D. CORPORATION TAXES.

Corporations generally are taxed under the general property tax.

Foreign insurance companies and domestic and foreign surety companies pay a tax of 2 per cent per annum upon the gross premium receipts.

Express companies doing business in the state pay an annual tax of 5 per cent on the amount fixed by the state tax commission as the gross receipts of such company.

Private car companies doing business in the state pay a tax of 7 per cent on the gross receipts. If any company fails to pay such tax the state treasurer shall proceed to collect the same, together with interest, at the rate of 12 per cent per annum.

E. BUSINESS TAXES, LICENSES, AND FEES.

Licenses to slaughter are paid to the secretary of the live stock sanitary board and are:

In or within 4 miles of town of 5,000 inhabitants or over, $150 annually; in or within 4 miles of town of not more than 3,000 and less than 5,000 inhabitants, $120 annually; in or within 4 miles of town of over 1,000 and less than 3,000 inhabitants, $90 annually; in all other cases, $30 annually.

Hunter's license, resident, 50 cents; nonresident and aliens, $10 to $100. Sale of liquor on trains, $300.

Motor vehicles of 40 horsepower, $5 annually; more than 40 horsepower, $10 annually; motorcycles, annually, $2. Nonresidents are exempt from the motor vehicle tax unless in the state for six months.

Banks pay to the bank comptroller (the auditor acts as such) a license fee at the time of beginning business, and for copies of papers, etc., 20 cents per folio of 100 words and $1 for certified copies.

For examination into the condition of banks: When the capital stock is $50,000 or over, $40; when the capital stock is $25,000 and under $50,000, $35; when the capital stock is less than $25,000, $30; branch or agency banks, $25; building and loan associations, $30.

Foreign insurance companies pay: For filing statement, $5; for issuing certificate of authority, $5; for agent's certificate, $2; for filing articles of incorporation, $10; for publishing statement, $2.50.

Fees payable to the secretary of state are: For affixing seal of secretary of state, $1; registration of motor vehicle, $3; for filing affidavit of publication, $3; for recording, per folio, 20 cents; for official bonds, commissions, and miscellaneous documents, $1.50 to $3; for filing notice of intention to construct a railroad, $10; for filing notice to construct reservoir, $5.

Embalmers.—Application fee, $5; renewal of license, $2.

Medicine.—Application fee, $2; examination fee, $10.

Pharmacy.—Examination fee, $5; assistant pharmacist, $2; annual registration, $2; assistant, $1.

Optometry.—Examination fee, $10; certificate, $5; persons already practicing in state, registration, $5.

Corporations pay to the corporation commission the following fees: For filing articles of incorporation, $10; filing annual report, $5; filing appointment of agent, $5; issuing certificate or filing articles of incorporation, $5; issuing certificate of incorporation, $10; for copy of documents, 20 cents per folio; affixing seal and certificate to copy, $2; registration fee, $15; investment companies for examination, $10; and various other fees from public service corporations.

The inspector of weights collects various fees and turns the same over to the state treasurer.

F. THE INCOME TAX.

There is no income tax in Arizona.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the method of assessment and of equalization and collection are the same for county as for state revenues.

2. *Rate*—

The county supervisors may levy taxes not to exceed $2 on each $100 of assessed valuation of property and such additional amount as may be necessary to meet the interest and payment of the county debts. The indebtedness of certain counties has been assumed by the state. The rate of levy to provide for the payment of this debt and interest thereon is determined by the state board of equalization.

The board of supervisors have the power to levy for road purposes a property tax, not to exceed 25 cents on each $100 of real and personal property in the county.

The board of supervisors of each county, when a majority of the vote has been cast therefor, annually levy a tax to be known as the "drainage district tax." The rate of such tax is determined by deducting 15 per cent for anticipated delinquencies from the total assessed value of the real property within the district, and then dividing the sum reported by the board of directors, as required to be raised, by the remainder of such total assessed value. Irrigation districts may be formed and taxes levied therefor in like manner.

3. *Collection*—

County taxes are collected by the county tax collector at the same time and in the same manner as state taxes.

B. POLL TAXES.

Every male inhabitant between the ages of 21 and 60 years is liable to a poll tax of $2.50 per annum. Members of volunteer fire departments, the National Guard, paupers, persons permanently infirm, Indians not taxed, and insane persons, are exempt. This tax is due, payable, and collectable in the same manner as taxes on personal property, and the proceeds go to the county school fund.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no county inheritance or corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

Liquor licenses.—For disposing of wines and malt liquors in quantities of 1 gallon or over: first class, sales $20,000 and upwards quarterly, $125 per quarter; second class, sales over $15,000 and less than $20,000 quarterly, $100 per quarter; third class, sales less than $15,000 quarterly, $75 per quarter. Selling in quantities of less than 1 gallon, $300 per annum. Brand tax, $2.

Traveling merchants, hawkers, and peddlers, except those selling farm products, in each county, per quarter, $75; with wagon, $200 per quarter.

Theater licenses.—Public exhibitions given for pay, in any precinct, town or city in which at the last municipal election there were less than 300 votes cast, $5 per quarter; if more than 300, and less than 500 votes were cast, $10 per quarter; more than 500 votes cast, $30 per quarter. If no quarterly license has been paid in any precinct, town or city, there shall be paid in those places described in the first division, $2.50 for each performance; in places described in second division, $5 for each performance; and in places described in third division, $10 for each performance.

Circuses, 5 per cent of gross receipts. Billiard tables, $10 per quarter; bowling alleys, $10 per quarter. Distilleries and breweries.—Sales per quarter, $10,000 and upwards, $40 per quarter; sales per quarter, more than $5,000 and less than $10,000, $20 per quarter; sales per quarter, less than $5,000, $10 per quarter. Insurance agents or companies, $10 per quarter. Pawnbrokers, $50 per quarter.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property assessed and the method of assessment and of equalization are substantially the same as described under State revenues. Cities may have a separate valuation.

2. *Rate*—

The levy is made by the board of trustees or common council and for general purposes may not exceed 1 per cent.

3. *Collection*—

By the city assessor and tax collector in substantially the same manner as state and county taxes.

B. POLL TAXES.

All able-bodied males between the ages of 21 and 60 years are liable to an assessment of 2 days' labor annually on the roads. This may be commuted for $2 per day, and is collected either in labor or cash by the road overseer.

C. THE INHERITANCE TAX.

There is no inheritance tax for municipalities.

D. CORPORATION TAXES.

There are no corporation taxes proper. But franchises to use the public streets may be granted upon payment of an annual rental based on gross receipts.

E. BUSINESS TAXES, LICENSES, AND FEES.

The city council may license and tax: Sale of liquors in every way; billiard tables, bagatelle tables, pin alleys, etc.; hackmen, draymen, carters, porters, etc.; auctioneers, distillers, brewers, lumberyards, livery stables, money changers, pawnbrokers, etc.; hawkers or peddlers; exhibitions, concerts, circuses, etc.; butchers; porters, or runners for cars or public houses; secondhand and junk stores; insurance companies and agencies; any and all professions, trades, or callings, etc.; and ferries.

School Revenues.

The permanent school fund is derived from the sale of lands, estates that escheat to the state, unclaimed shares of corporations, gifts, incomes from investment of school fund, and appropriations to be met by taxation.

There is annually levied and collected, in the manner in which other state taxes are levied and collected, a sufficient tax to raise the sum of $500,000, said levy to be upon the taxable property of the state, and paid into the state treasury as a special fund for school purposes. All public school moneys paid into the state treasury are placed to the credit of the state common school fund.

There is included in the tax levied for state school purposes a rate sufficient to raise the sum of $2,500, which sum is used for the care, maintenance, and instruction of blind children under school age residing in the state.

On or before the 1st day of July of each year the trustees of school districts file with the county superintendent an itemized statement of the amount of money needed for defraying the expenses of the schools within their districts for the ensuing year. The county school superintendent makes an estimate of the minimum amount needed for the ensuing year. The board of supervisors of each county annually levies a county school tax at a rate not less than sufficient to raise the said minimum amount of money.

Special school district taxes may also be levied by the trustees of the school district. The rate (exclusive of bond interest and high school tax) shall not be greater than 90 cents on each $100 valuation of taxable property.

The county school fund also receives the county poll taxes.

ARKANSAS.[1]

Arkansas depends almost entirely upon the general property tax and licenses or privilege taxes; but there is also a poll tax the proceeds of which are devoted to educational purposes, an inheritance tax, and a corporation tax based on the capital stock.

CONSTITUTIONAL PROVISIONS.

ARTICLE XVI.

SEC. 5. All property subject to taxation shall be taxed according to its value, that value to be ascertained in such manner as the general assembly shall direct, making the same equal and uniform throughout the state. No one species of property, from which a tax may be collected, shall be taxed higher than another species of property of equal value: *Provided*, The general assembly shall have power, from time to time, to tax hawkers, peddlers, ferries, exhibitions, and privileges in such manner as may be deemed proper: *Provided further*, That the following property shall be exempt from taxation: Public property used exclusively for public purposes; churches used as such; cemeteries used exclusively as such; school buildings and apparatus (includes private schools, see 42 Ark., 536); libraries and grounds used exclusively for school purposes; and buildings and grounds and materials used exclusively for public charity.

SEC. 6. All laws exempting property from taxation, other than as provided in this constitution, shall be void.

SEC. 7. The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the state may be a party.

SEC. 8. The general assembly shall not have power to levy state taxes for any one year to exceed, in the aggregate, 1 per cent of the assessed valuation of the property of the state for that year.

SEC. 9. No county shall levy a tax to exceed one-half of 1 per cent for all purposes, but may levy an additional one-half of 1 per cent to pay indebtedness existing at the time of the ratification of this constitution. Amendment adopted November, 1898, provides that county may levy 3-mill tax for county roads.

SEC. 10. The taxes of counties, towns, and cities shall only be payable in lawful currency of the United States, or the orders or warrants of said counties, towns, and cities, respectively.

SEC. 11. No tax shall be levied except in pursuance of law; and every law imposing a tax shall state distinctly the object of the same; and no moneys arising from a tax levied for one purpose shall be used for any other purpose.

ARTICLE V.

SEC. 31. No state tax shall be allowed, or appropriation of money made, except to raise means for the payment of the just debts of the state, for defraying the necessary expenses of government, to sustain common schools, to repel invasion and suppress insurrection, except by a majority of two-thirds of both houses of the general assembly.

ARTICLE XII.

SEC. 4. No municipal corporation shall be authorized to pass any laws contrary to the general laws of the state, nor levy any tax on real or personal property to a greater extent, in one year, than 5 mills on the dollar of the assessed value of the same: *Provided*, That to pay indebtedness existing at the time of the adoption of the constitution an additional tax of not more than 5 mills on the dollar may be levied.

ARTICLE XIV.

SEC. 3. The general assembly shall provide, by general laws, for the support of common schools by taxes, which shall never exceed in any one year 3 mills on the dollar on the taxable property of the state; and by an annual per capita tax of $1, to be assessed on every male inhabitant of this state over the age of 21 years: *Provided*, That the general assembly may, by general law, authorize school districts to levy, by a vote of the qualified electors of such district, a tax not to exceed 7 mills on the dollar in any one year for school purposes: *Provided further*, That no such tax shall be appropriated to any other purpose nor to any other district than that for which it was levied.

ARTICLE XIX.

SEC. 11. * * * and all fees that may hereafter be payable by law for any service performed by any officer mentioned in this section (the governor, secretary of state, auditor, treasurer, attorney general, judges of the supreme court, judges of the circuit court, commissioner of state land, and prosecuting attorneys), except prosecuting attorneys, shall be paid in advance into the state treasury. * * *

SEC. 27. Nothing in this constitution shall be so construed as to prohibit the general assembly from authorizing assessments on real property for local improvements in cities and towns under such regulations as may be prescribed by law, to be based upon the consent of a majority in value of the property holders owning property adjoining the locality to be affected, but such assessments shall be ad valorem and uniform.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The county assessor, elected for two years, compensated by fees.

(2) The county board of equalization, composed of "three intelligent citizens, who are real estate owners, and qualified electors," selected from different parts of the county, and appointed by the governor for two years. Counties having two judicial districts have a board in each. In counties of more than 25,000 population, the board shall consist of five members.

(3) The sheriff of each county, who is ex officio tax collector.

(4) The clerk of the county court, who acts as county auditor, elected for a term of two years.

(5) The auditor of state, elected for two years.

(6) The state tax commission, composed of three members appointed by the governor. It is the duty of the tax commission to exercise complete supervision over the entire system of taxation. They assume all duties as regards taxation heretofore discharged by the board of railroad commissioners.

[1] This compilation is derived mainly from the following sources: A Digest of the Revenue Laws of the State of Arkansas, compiled in the auditor's office by Avery E. Moore, 1903.
The Session Laws to 1913.

State Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All property, except that legally exempt, whether real or personal; all moneys, credits, investments in bonds, stocks, joint-stock companies, or otherwise, of persons residing therein; the property of corporations now existing or hereafter created; and property of all banks or banking companies now existing or hereafter created, and of all bankers and brokers, shall be subject to taxation.

The term "real property and lands" is held to include not only the land itself, with all things contained therein, but also all buildings, structures, and improvements and other fixtures, and all rights and privileges belonging or in any wise appertaining thereto; also all trees growing thereon, and all mines, minerals, quarries, or fossils thereon or thereunder.

Mineral rights may be treated separately.

"Railroad track" is defined as real estate.

The term "personal property" includes all goods, chattels, moneys, and effects; all steamboats navigating waters wholly or partly within the state, and all capital belonging to inhabitants of the state invested in water craft located without the state; all improvements made by others upon lands belonging to the Government or any railroad company whose property is not subject to the same mode of taxation as other property; all stocks, growing or otherwise, of nurserymen and florists; all gas, oil, and water mains, pipes, conduits and subways wherever located; all tracks, roads and bridges of street railways, turnpike and bridge companies; all apparatus of telegraph and telephone lines; credits of every kind over and above debts owed by the creditor; the income of annuities, unless the capital be taxed; investments in stocks, bonds, and securities of every kind; personal property of corporations, whether the owners reside in or out of the state; shares of stock in banks; the capital stock, undivided profits, and all other means not forming part of the capital stock of every company, whether incorporated or unincorporated.

The term "investment in bonds" is held to include all money invested in bonds of whatever kind, or certificates of indebtedness commonly called "scrip," whether issued by incorporated or unincorporated companies, towns, cities, townships, counties, states, or other corporations, provided such bonds are held by persons residing in this state, either by themselves or by others for them, whether for themselves or as guardians, trustees, or agents.

The term "investment in stocks" is held to include all moneys invested in public stocks of this or any other state, or in any association, corporation, joint-stock company, or otherwise, the stock or capital of which is or may be divided into shares, for the taxation of which no special provision is made, held by persons residing in this state.

Timber owned separately from the land is classed as personal property.

National bank notes, United States legal tender notes, and all other notes and certificates of the United States payable on demand and circulating, or intended to circulate, as currency, and gold, silver, or other coin, held or owned by any citizen or resident of the state of Arkansas are expressly declared to be taxable.

The term "credit" means the excess of the sum of all legal claims and demands due to the person liable to pay taxes thereon including deposits in banks when added together, over and above the sum of legal bona fide debts owed by such person.

Pensions received from the United States, or from any state, are not held to be annuities.

For exemptions, see Constitution, Article XVI, sections 5 and 6.

The statutes add fire apparatus and buildings used exclusively for the safekeeping thereof, whether belonging to any town or to any fire company organized therein; all property belonging to camp meeting associations, Sunday school assemblies, Young Men's Christian Associations, and societies for religious instruction; and property belonging to and used exclusively for the purpose of any agricultural society or industrial exposition. The statutes also provide a method of valuing real estate which exempts growing crops.

b. Assessment.—In general, there is but one assessment and one assessment roll for state, county, and municipal taxes. City and town taxes must be levied on the appraisement of the county assessor as equalized for the levy of state and county taxes. The assessment refers to the 1st day of February and is made on the basis of a sworn list submitted by the taxpayer, the oath declaring the values entered in the list as correct. The taxpayer shall also, if the assessor demand it, fix the value of any timber, mines, fossils, quarries, springs, or anything else on the land that gives a special value.

Land and the improvements thereon are separately assessed.

Property is required to be assessed at its true and full cash value. In determining its value the officers shall not adopt a different standard of value because the same is to serve as a basis of taxation, nor shall the price for which property would sell at forced sale be adopted as a criterion of value.

Real estate is assessed once every two years in the odd numbered years. All other assessments are made annually.

The property of railroad, telegraph, telephone, express, sleeping car and pipe line companies, and of every power, heating, electric, gas, water, street car, toll road, toll bridge, and similar corporations doing business in the state is assessed by the state tax commission. All other property is assessed by the county assessor, who is paid by fees for the various items of assessment.

Every person of full age and sound mind is required to list all property owned or in his possession on the 1st day of February. Property brought into the state after the 1st day of February and prior to the 1st day of October of any year is subject to taxation, unless the owner can show that the property has been listed for taxation for that year in some other place.

Merchants and manufacturers are assessed upon the average value of property in their possession during the year.

Banks are assessed on the amount of their paid-up capital, undivided profits, term deposits, moneys which during the year were converted into nontaxable bonds, and on all fixtures, furniture, and other property that has been charged off to profit and loss account. The assessment is made against the bank in the aggregate as agent for the shareholders. The bank pays the taxes, but it may recover from the shareholders the amount of taxes paid, or deduct the same from any dividend accruing. All taxes must be paid before any shares of stock can be transferred. No deduction is made by reason of the fact that any part of the capital of such institutions is invested in nontaxable securities, or securities otherwise taxed.

Every association engaged in insurance business, or in any security, bonding, or indemnity business, or in any kind of investment, loan or trust business is assessed for taxation in the same manner as banks.

Sleeping or dining car companies, express companies, and telegraph companies are assessed every year by the state tax commission on that proportion of their aggregate capital stock, at its market value, which the mileage in the state bears to the total mileage. The assessment so made is apportioned among the counties on an average mileage basis. Office furniture and other real and personal property are assessed locally.

To aid the assessor in determining the true value of its property, each corporation, including gas, telephone, bridge, street railroad, savings bank, mutual loan, building, transportation, and construction companies, is required to list not only the true value of all tangible property, but the market value (or actual value) of its paid-up capital stock and the total amount of its indebtedness.

In the case of any telephone company, the total pole miles, and total stations constitute, for the purposes of taxation, the entire value of the company's property.

The assessment of railroads includes railroad track, franchises, rolling stock, water and wood stations, passenger and freight depots, offices, furniture, and other such property, both real and personal. Only the rolling stock owned or leased for a term of not less than six months by railroads in this state is assessed. The "railroad track" is assessed without special reference to its relation to the entire system within and without the state, but that proportion only of the total rolling stock is assessed which the mileage in the state bears to the total mileage. The assessment made by the state board is apportioned among the counties on the basis of mileage.

The penalties for failure to make returns to the assessor are: For individuals, $1 as fee to assessor, half of which goes to the assessor and half to the common school fund; delinquency may be treated as a misdemeanor subject to a fine of not to exceed $100, or imprisonment not to exceed three months, or both; for banks and corporations generally, 50 per cent is added to assessment; for sleeping car companies for false statement, prosecution of officer for perjury; for false statement by officers of railroads, a fine of not less than $1,000 nor more than $10,000 is imposed.

For refusal of the taxpayer to make a list of his property after demand duly made by the assessor, a penalty equal to 50 per cent of the total taxes on the property for that year is assessed against it, and upon the property of any delinquent whom the assessor is unable to find there is assessed an amount equal to 25 per cent of the taxes thereon.

The assessor is compensated for his services by the following fees:

For each assessment of personal property, including assessment covering poll tax, 25 cents; for assessing real estate in each congressional township, $12; in fractional townships for each section of more than 40 acres, 33⅓ cents; for assessing real estate in cities of more than 40,000 inhabitants, for each ward, $125; in cities of more than 10,000 and less than 40,000 inhabitants, for each ward, $100; in cities of 10,000 inhabitants or less, for each ward, $50; in incorporated towns of more than 1,000 inhabitants, $50; in towns or villages of 500 to 1,000 inhabitants, $25; in villages of less than 500 inhabitants, $12; for each list of real property of unknown or nonresident owners, $1; for listing property of those who make no return, one-half of the $1 charged to taxpayer. The assessor has to attend in each precinct for receiving lists.

For assessing property outside of incorporated cities and towns, one-half of the amount paid the assessor is paid by the state and one-half by the county; for assessing property located in cities and towns, one-third is paid by the municipality, one-third by the county, and one-third by the state.

c. Equalization.—The county board of supervisors of assessments sitting as a board of equalization has power to raise or lower individual assessments, to correct errors, and to add property omitted, to the end that all property shall be assessed at its true and full value in money. In this work it is assisted by the clerk of the county court. In August of each year the board, with the county judge as chairman thereof, meets as a board of revision and appeals for the purpose of hearing complaints of taxpayers. An appeal from the action of the board lies to the county court within thirty days after a final order has been made.

The state tax commission meets in September of each year for the purpose of equalizing the assessments of the real and personal property of the state. This commission hears appeals from the several county boards of supervisors of assessments, and may change the aggregate valuation of all property. It may, in its discretion, either equalize assessments itself or it may call a special session of the board of supervisors of assessments of the county to sit as a board of equalization and a board of revision and appeal. Appeal may be taken in the same manner as from the decisions made at regular sessions.

2. *Rate—*

The rate for state purposes is fixed by statute, but is limited by the constitution to 1 per cent on the assessed valuation.

In 1912 it was, on each $100 of valuation, 4½ cents for state capitol fund, 13½ cents for pension fund, 22½ cents for general fund, and 27 cents for school fund—total 67½ cents, or 6¾ mills on the dollar.

3. *Collection—*

Taxes are extended by the clerk of the county court.

The lien for taxes attaches on the first Monday in June. The sheriff of each county is the tax collector. He or his deputies attend in each election precinct, after the 1st day of February, for the collection of taxes. Taxes on real and personal property become delinquent after the 10th day of April, and may then be collected by distraint. The penalty for delinquency is 10 per cent.

The collector is paid by commissions, as follows:

For the first $10,000, 5 per cent; for all sums over $10,000 and under $20,000, 3 per cent; for all sums over $20,000, 2 per cent.

B. POLL TAX.

While the poll tax is authorized by the State Constitution, each county collects and retains the whole amount collected. (See County poll taxes.)

C. THE INHERITANCE TAX.

All property, whether belonging to inhabitants of the state or not, tangible or intangible, which passes by will or by the intestate laws of the state, or by deed, grant, sale, or gift, made or intended to take effect after death of the grantor, to any person or corporation in trust or otherwise, is subject to an inheritance tax.

When the property passes to a grandfather, grandmother, father, mother, husband, wife, lineal descendant, brother, sister, or any adopted child, the tax is 1 per cent of the clear market value of the estate in excess of $5,000. When the property passes to any uncle, aunt, niece, nephew, or any lineal descendant of the same, the rate is 2 per cent of the clear market value of such property in excess of $2,000. In all other cases, the rate is as follows: On all estates of $1,000 to $10,000, 3 per cent; $10,000 to $20,000, 4 per cent; $20,000 to $50,000, 5 per cent; over $50,000, 6 per cent.

The tax is payable to the state treasurer at the death of the decedent. If not paid within 12 months thereafter interest at the rate of 9 per cent is collected from the time the tax became due. The court of probate having jurisdiction determines all questions arising in connection with the tax, and no executor or administrator can be discharged until proof of payment is submitted.

D. CORPORATION TAXES.

All corporations are taxed under the general property tax, and in addition pay an annual franchise tax of one-twentieth of 1 per cent on the proportion of the outstanding capital stock of the corporation represented by the property owned and used in business transacted in the state. Companies having no capital stock, and companies organized to transact business of life and accident insurance for the purpose of mutual benefit to its members, pay an annual fee of $50. Companies organized strictly for charitable purposes are exempt.

Insurance companies pay the following annual tax: If the capital stock is less than $500,000, $100; if $500,000 or more, $200; building and loan associations, $25. If any corporation is delinquent, there is collected a penalty of 25 per cent, which is credited to the general revenue fund.

Private car companies pay a privilege tax of 5 per cent on the gross receipts.

E. BUSINESS TAXES, LICENSES, AND FEES.

The following taxes, generally known as "privilege taxes," are levied annually, unless otherwise stated:

Peddlers, $25 for six months or less. Exempt from this tax are: Farm and produce peddlers, indigent or disabled ex-Confederate or United States soldiers or sailors, and blind persons; but such persons may not peddle liquors. Clock peddlers, $100. Lightning rod and stove agents, $100. Sewing machine companies or their general agents, $200, and for each agent in each county, $5 additional.

Noncitizens trading horses, or peddling organs, pianos, or vehicles, $100 in each county.

Liquor dealers, retail, $300 (also a county tax of $400), 2 per cent thereof to be paid as collector's fee, and $2 as clerk's fee for issuing license.

Wholesale dealers in malt liquors, $50 (also a county tax of $100) unless they hold a retail license. River traders in liquors, $100.

Fertilizer manufacturers, inspection fee, 25 cents per ton.

Owners of motor vehicles, registration fee, $5. Chauffeur's registration fee, $1.

Dentists.—Examination fee, $15; issuing temporary license, $5.

Incorporated companies; for filing articles of incorporation, $25 for the first $10,000 or less of the proposed capital stock, and one-tenth of 1 per cent additional on all amounts in excess of $10,000; for any increase of capital stock $25 on the first $10,000 or less, and one-tenth of 1 per cent additional on all amounts in excess of $10,000.

All telegraph, interurban telephone, and pipe line companies pay $1 per mile for each mile proposed to be constructed. Express, sleeping car, and private car companies pay $1 for every mile over which the corporation proposes to do business.

Railroad, street, interurban, or other transportation companies pay the following incorporation fees: On all lines not exceeding 25 miles in length, $100; on lines exceeding 25 miles in length, $4 per mile for every mile it proposes to operate, and $4 per mile for any increase.

Local telephone exchanges pay the following incorporation fees: In towns not exceeding 1,000 inhabitants, $25; 1,000 to 5,000, $50; 5,000 to 25,000, $100; more than 25,000, $200.

Foreign mutual corporations having no capital stock pay for filing articles of incorporation $500. This provision does not apply to fraternal orders that write insurance, or to any mutual corporation created for religious, literary, or scientific purposes.

For filing a charter of any educational institution, $15; change of name, $5.

Insurance companies, for filing certified copy of charter, pay a fee of $15; for filing annual statement, $10; for filing certificate of authority to transact business, $2; for filing copies of papers, 25 cents per folio and $1 for certification.

Foreign insurance companies pay the same fees as are charged insurance companies organized under the laws of Arkansas for filing articles of incorporation in the state where such foreign company was organized.

Surety companies pay for filing preliminary statement a fee of $15; annual statement, $10; certificate of authority, $2; each agent's certificate, $2.

F. THE INCOME TAX.

There is no income tax in Arkansas.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the method of its assessment and equalization are the same for county taxation as for state.

2. *Rate—*

The county rate is limited by the constitution to not exceeding one-half of 1 per cent for general purposes, and an additional one-half of 1 per cent to pay indebtedness existing at the time of its ratification, and is further limited by statute for general purposes, to that number of mills on the dollar which, when applied to the total property of the county as assessed and equalized that year, will produce a sum equal to the total taxes levied against the property of the county for county purposes the year next preceding, plus 10 per cent of said total taxes. Each year there may also be levied for the maintenance and improvement of the roads and bridges of the county 30 cents on each $100 of property assessed.

The levy is made in November by the county court.

3. *Collection—*

County taxes are collected by the sheriff as tax collector in the same manner as state taxes.

B. POLL TAXES.

Section 3, Article XIV, of the Constitution provides that a poll tax of $1 be levied upon all males over 21 years of age. The payment of this tax is a prerequisite for the exercise of the elective franchise. It is collected by the tax collector, paid into the county school fund, and apportioned to the school districts with the rest of the school fund. If not paid before the 10th of April a penalty of 25 cents is added. If not paid before the Saturday next preceding the first Monday in July a penalty of $1 is added, 25 cents of which goes to the county clerk for his services in entering the name, 25 cents in the county general fund, and 50 cents to the assessor.

C AND D. INHERITANCE AND CORPORATION TAXES.

The county does not share in the inheritance tax nor in the taxes on corporations, both of which taxes are reserved for the use of the state.

E. BUSINESS TAXES, LICENSES, AND FEES.

The county authorities may impose license taxes as follows: (Unless otherwise noted, the amount given is the fee for doing business for one year.)

Liquor dealers, retail, $400, 2 per cent thereof as a collection fee, and $2 as clerk's fee. Wholesale dealers in malt liquors, $100, unless they hold retailer's license. Marriage licenses, 50 cents. Peddlers, $25 every six months or less. Circuses and menageries, $100 per day and $50 for each side show. County courts may license and tax exhibitions for profit. Theaters in cities of 20,000 and over, where no liquor is sold, $100. Auctioneers, $10 for six months or less. Agents, owners, or manufacturers traveling and selling lightning rods, steel stove ranges, clocks, pumps, buggies, carriages, and vehicles, $200. River traders, $100. The county court licenses ferries, and may charge a license tax of not less than $1 nor more than $100. Auction duties payable to the county are: (1) On sales of personal property, 1½ per cent; (2) on sales of real estate or household interest in land, one-half of 1 per cent. Nonresidents are prohibited from hunting and fishing in all counties except Clay and Stone. In these two counties hunting and fishing by nonresidents are licensed for a fee of from $5 to $15. All the above license taxes are collected by the tax collector, who receives 5 per cent commission, which is paid by the person taxed.

Each criminal conviction in courts of record, $3; each civil suit in courts of record, $3; each writ of summons and writ of execution, 50 cents; each certificate of record in any recorder's office, except mortgages, 50 cents; each certificate of mortgage, 15 cents.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the method of assessment and of equalization are the same for cities and towns as for the state.

2. *Rate—*

The amount of taxes levied in any one year by the constituted authorities of any municipal corporation for city or town purposes is limited by the constitution to 5 mills for general purposes, and is further limited by statute to that number of mills on the dollar which, when applied to the total property of the city or town as assessed and equalized that year, will produce a sum equal to the total taxes levied against the property of the city or town for municipal purposes the year next preceding, plus 10 per cent of said total taxes. For paying indebtedness existing at the time of the adoption of the present constitution a tax not exceeding the rate levied for other city or town purposes may be levied.

The council of any municipal corporation shall certify to the county clerk the rate of taxation levied by such municipal corporation. If a municipality did not levy a tax in the year next preceding, that rate may be levied for the current year, which when applied to the total property of the municipality as assessed and equalized in the current year will produce a sum 10 per cent in excess of the sum produced by applying a rate of 5 mills on the dollar to the property within such municipal corporation as assessed and equalized in such next preceding year. A tax of not exceeding one-half of 1 mill may be levied for the establishment and maintenance of public libraries.

3. *Collection—*

Municipal taxes are collected, as are state and county taxes, by the sheriff, who is ex officio county collector, and paid over by him to the city treasury.

B. POLL TAXES.

There is no poll tax for municipal purposes.

C AND D. INHERITANCE AND CORPORATION TAXES.

The municipalities do not share in the inheritance tax nor in the corporation tax.

E. BUSINESS TAXES, LICENSES, AND FEES.

Municipal corporations may license, regulate, tax, or suppress ordinaries, hawkers, peddlers, brokers, pawnbrokers, money changers, intelligence offices, public masquerade balls, street exhibitions, sparring exhibitions, dance houses, fortune tellers, pistol galleries, corn doctors; private and venereal hospitals; museums and menageries, equestrian performances, horoscopic views, lung testers, muscle developers, magnifying glasses, billiard tables, or any other tables or instruments used for gaming; theatrical or other exhibitions, shows, and amusements; tippling houses and dramshops; or any gift enterprises, and may suppress prize fights, dog fights, chicken cockfights, gaming, or gambling houses. But the licensing of saloons is dependent upon a local option law. Municipal corporations also have the power to tax public auctioneers not less than $5 nor more than $100 per annum, and to impose a tax on dogs and other domestic animals not included in the list of taxable property.

School Revenues.

The proceeds of all lands granted by the United States to the state; also all moneys, stocks, bonds, land, and other property belonging to any fund for education at the time of the passage of the act (December, 1875); also the net proceeds of all sales of lands and other property and effects that may accrue to the state by escheat, or from sales of estrays, or from unclaimed dividends, or distributive shares of deceased persons; also 10 per cent of the net proceeds of the sale of all state lands; also all grants, gifts, or devises that are made to the state are to be invested in the common school fund.

The poll tax and the special school levy on property are treated as current revenue for the support of common schools. A tax levy sufficient to maintain the schools in any district longer than three months must be sanctioned by a vote of the electors in the school district. Such vote may be taken at any lawful meeting at which not less than five electors shall be present. But such tax may not exceed 1 per cent of the assessed valuation.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

Corporations doing business in Arkansas pay an annual franchise tax of one-fifteenth of 1 per cent upon their capital stock except as hereinafter provided. Any corporation doing business for profit

organized as an insurance company not having a capital stock and not strictly for charitable purposes pays a tax of $100. All insurance companies having an outstanding capital stock of less than $500,000 pay an annual tax of $100; having a capital of $500,000 or more, $200. Corporations which have no capital stock employed in the state or which have a capital stock of less than $13,333 pay an annual tax of $10.

Every fire, tornado, or marine insurance company shall, after deducting return premiums and authorized reinsurance, pay a tax of 1½ per cent on gross receipts. Every life, health, and accident insurance company, and every bond and surety company, pays a tax of 1½ per cent on its gross receipts. Said tax is in lieu of all other taxes.

Tax rates for state purposes.—General fund, 2½ mills; state capitol tax, three-eighths mill. Sinking fund tax is discontinued.

If the assessments for road improvement districts are not paid at the time for the payment of county taxes, a penalty of 25 per cent attaches for such delinquency.

Registration fee for each motor vehicle, $10 per annum.

Professional nurse.—Registration fee, $5.

Drainage taxes shall be collected on or before the 10th day of April of each year. The penalty for delinquency is 10 per cent.

The inheritance tax was revised and practically rewritten as follows:

(1) All property transferred in good faith to any person, corporation, or association of persons in trust for or to be devoted to any charitable, educational, or public purpose is exempt.

(2) Property of the clear value of $3,000 transferred to a widow or a minor child of the decedent, and of $1,000 transferred to father, mother, husband, wife, child, brother, sister, wife or widow of a son or husband of a daughter, or any adopted child or children.

(3) Property of the clear value of $500, transferred to any person or corporation other than the persons described in section 2.

Upon a transfer of an amount in excess of the exemptions, and not in excess of $5,000, to any father, mother, husband, wife, child, brother, sister, wife or widow of a son, or the husband of a daughter, or any adopted child or children, or any child to whom the decedent for not less than 10 years prior to such transfer stood in loco parentis, the tax is at the rate of 1 per cent of the clear value of such interest in such property.

Upon a transfer of an amount in excess of the exemptions, and not in excess of $5,000 to any person or corporation other than those enumerated above, the rate is 3 per cent of the clear value of such property. The rates given above are termed primary rates.

When the market value of property exceeds $5,000, the rate of tax upon such excess is as follows:

Upon amounts in excess of $5,000 and up to $10,000, two times the primary rates; $10,000 to $30,000, three times the primary rates; $30,000 to $50,000, four times the primary rates; $50,000 to $100,000, five times the primary rates; $100,000 to $500,000, six times the primary rates; $500,000 to $1,000,000, seven times the primary rates; in excess of $1,000,000, eight times the primary rates. If inheritance taxes are not paid until six months after the death of decedent, 6 per cent interest is collected; if not paid within 12 months, a penalty of 10 per cent per annum in addition to the interest shall be collected. The proceeds from inheritance taxes are paid into the treasury of the state to the credit of the general fund thereof.

A state banking department was created and a state banking commissioner provided for. All banks pay annual fees of one-fifth of 1 per cent on authorized capital stock and at the same rate on all increases. For each amendment or supplement to the articles of agreement, except increases to the capital stock, $10; annual fee for examination, $15, and 50 cents additional on each $1,000 of capital stock.

A "Blue Sky" law, governing and regulating investment companies was enacted. A filing fee of $5 is required from such companies, in addition to the fees required from all corporations.

Cities of the first class were authorized to license transient merchants. The powers of assessment of public utility corporations by the state tax commission were increased. The right of eminent domain was extended to municipal corporations and counties for the purpose of establishing parks, boulevards, and public buildings, and for the organization of improvement districts to aid in acquiring such parks and boulevards. Students and persons unable to perform labor owing to physical disability were exempted from work on the roads.

The department of state lands, highways, and improvements was organized. This department collects registration fees on motor vehicles, which are raised from $5 to $10 per annum. This department was also authorized to levy taxes on real estate for improvements.

CALIFORNIA.[1]

In 1910 the state of California entered upon a radical departure in the methods of raising its revenue. In that year a constitutional amendment was adopted providing for the separation of state from local taxation and providing for the taxation of public service corporations, banks, and insurance companies for the benefit of the state. The amendment further exempts the operative property of these companies from local taxation by counties, cities, towns, and districts, except for the payment of principal and interest on indebtedness existing before November 8, 1910. The state also derives revenue from an inheritance tax, a few licenses, and from a poll tax which is used for school purposes. A general ad valorem tax may, however, be levied if the revenues derived from the sources mentioned fail to meet the requirements of the state. The only general property tax now being levied is one authorized by a legislative act of 1910 which provided that $1,250,000 should be raised by this method of taxation in each of the years 1911, 1912, 1913, and 1914, in aid of the Panama Exposition.

Counties and municipalities depend upon general property taxes and license taxes.

[1] This compilation is derived mainly from the following sources:
Kerr's Pocket Codes of California, 1909.
Statutes and amendments to the Code, 1909–1913.
Revenue Laws of the State of California in force January 1, 1912, prepared by T. M. Eby, secretary of the state board of equalization.

CONSTITUTIONAL PROVISIONS.

ARTICLE XIII.

SEC. 1. All property in the state except as otherwise in this constitution provided, not exempt under the laws of the United States, shall be taxed in proportion to its value, to be ascertained as provided by law, or as hereinafter provided. The word "property," as used in this article and section, is hereby declared to include moneys, credits, bonds, stocks, dues, franchises, and all other matters and things, real, personal, and mixed, capable of private ownership: *Provided*, That a mortgage, deed of trust, contract, or other obligation by which a debt is secured when land is pledged as security for the payment thereof, together with the money represented by such debt, shall not be considered property subject to taxation; *and further provided*, That property used for free public libraries and free museums, growing crops, property used exclusively for public schools, and such as may belong to the United States, this state, or to any county or municipal corporation within this state shall be exempt from taxation. The legislature may provide, except in the case of credits secured by mortgage or trust deed, for a deduction from credits of debts due to bona fide residents of this state.

SEC. 1½. The property to the amount of $1,000 of every resident in this state who has served in the Army, Navy, Marine Corps, or Revenue-Marine Service of the United States in time of war, and received an honorable discharge therefrom; or lacking such amount of property in his own name, so much of the property of the wife of any such person as shall be necessary to equal said amount; and property to the amount of $1,000 of the widow resident in this state, or if there be no such widow, of the widowed mother resident in this state, of every person who has so served and has died either during his term of service or after receiving honorable discharge from said service; and the property to the amount of $1,000 of pensioned widows, fathers, and mothers, resident in this state, of soldiers, sailors, and marines who served in the Army, Navy, or Marine Corps, or Revenue-Marine Service of the United States, shall be exempt from taxation: *Provided*, That this exemption shall not apply to any person named herein owning property of the value of $5,000 or more, or where the wife of such soldier or sailor owns property of the value of $5,000 or more. No exemption shall be made under the provisions of this act of the property of a person who is not a legal resident of this state.

SEC. 1¾. All buildings and so much of the real property on which they are situated as may be required for the convenient use and occupation of said buildings, when the same are used solely and exclusively for religious worship, shall be free from taxation: *Provided*, That no building so used which may be rented for religious purposes and rent received by the owner thereof, shall be exempt from taxation.

SEC. 1¾. All bonds hereafter issued by the state of California, or by any county, city, town, municipal corporation or district (including school, reclamation, and irrigation districts) within said state, shall be free and exempt from taxation.

SEC. 2. Land, and the improvements thereon, shall be separately assessed. Cultivated and uncultivated land, of the same quality and similarly situated, shall be assessed at the same value.

SEC. 3. Every tract of land containing more than 640 acres, and which has been sectionized by the United States Government, shall be assessed, for the purposes of taxation, by sections or fractions of sections. The legislature shall provide by law for the assessment, in small tracts, of all lands not sectionized by the United States Government.

SEC. 6. The power of taxation shall never be surrendered or suspended by any grant or contract to which the state shall be a party.

SEC. 7. The legislature shall have the power to provide by law for the payment of all taxes on real property by instalments.

SEC. 8. The legislature shall by law require each taxpayer in this state to make and deliver to the county assessor, annually, a statement, under oath, setting forth specifically all the real and personal property owned by such taxpayer, or in his possession, or under his control at 12 o'clock meridian on the first Monday of March.

SEC. 9. A state board of equalization, consisting of one member from each congressional district in this state, as the same existed in 1879, shall be elected by the qualified electors of their respective districts, at the general election to be held in the year 1896, and at each gubernatorial election thereafter, whose term of office shall be for four years, whose duty it shall be to equalize the valuation of the taxable property in the several counties of the state for the purposes of taxation. The controller of state shall be ex officio a member of the board. The boards of supervisors of the several counties of the state shall constitute boards of equalization for their respective counties, whose duty it shall be to equalize the valuation of the taxable property in the county for the purposes of taxation: *Provided*, Such state and county boards of equalization are hereby authorized and empowered, under such rules of notice as the county boards may prescribe as to county assessments, and under such rules of notice as the state board may prescribe as to the action of the state board, to increase or lower the entire assessment roll, or any assessment contained therein, so as to equalize the assessment of the property contained in said assessment roll, and make the assessment conform to the true value in money of the property contained in said roll: *Provided*, That no board of equalization shall raise any mortgage, deed of trust, contract, or other obligation by which a debt is secured, money, or solvent credits, above its face value. The present state board of equalization shall continue in office until their successors, as herein provided for, shall be elected and shall qualify. The legislature shall have power to redistrict the state into four districts, as nearly equal in population as practical, and to provide for the elections of members of said board of equalization.

SEC. 10. All property, except as otherwise in this constitution provided, shall be assessed in the county, city, city and town, town or township, or district in which it is situated, in the manner prescribed by law.

SEC. 10½. The personal property of every householder to the amount of $100, the articles to be selected by each householder, shall be exempt from taxation.

SEC. 11. Income taxes may be assessed to and collected from persons, corporations, joint-stock associations, or companies resident or doing business in this state, or any one or more of them, in such cases and amounts, and in such manner, as shall be prescribed by law.

SEC. 12. The legislature shall provide for the levy and collection of an annual poll tax of not less than $2 on every male inhabitant of this state over 21 and under 60 years of age, except paupers, idiots, insane persons, and Indians not taxed; said tax shall be paid into the state school fund.

Sec. 12¾. Fruit and nut-bearing trees under the age of 4 years from the time of planting in orchard form, and grapevines under the age of 3 years from the time of planting in vineyard form, shall be exempt from taxation, and nothing in this article shall be construed as subjecting such trees and grapevines to taxation.

SEC. 13. The legislature shall pass all laws necessary to carry out the provisions of this article.

SEC. 14. Taxes levied, assessed, and collected, as hereinafter provided, upon railroads, including street railways, whether operated in one or more counties; sleeping car, dining car, drawing room car, and palace car companies; refrigerator, oil, stock, fruit, and other car loaning and other car companies operating upon railroads in this state; companies doing express business on any railroad, steamboat, vessel, or stage line in this state; telegraph companies; telephone companies; companies engaged in the transmission or sale of gas or electricity; insurance companies; banks, banking associations, savings and loan societies, and trust companies; and taxes upon all franchises of every kind and nature, shall be entirely and exclusively for state purposes, and shall be levied, assessed, and collected in the manner hereinafter provided. The word "companies" as used in this section shall include persons, partnerships, joint-stock associations, companies, and corporations.

(*a*) All railroad companies, including street railways, whether operated in one or more counties; all sleeping car, dining car, drawing room car, and palace car companies; all refrigerator, oil, stock, fruit, and other car loaning and other car companies operating upon the railroads in this state; all companies doing express business on any railroad, steamboat, vessel, or stage line in this state; all telegraph or telephone companies; and all companies engaged in the transmission or sale of gas or electricity shall annually pay to the state a tax upon their franchises, roadways, roadbeds, rails, rolling stock, poles, wires, pipes, canals, conduits, rights of way, and other property, or any part thereof used exclusively in the operation of their business in this state, computed as follows: Said tax shall be equal to the percentage hereinafter fixed upon the gross receipts from operation of such companies and each thereof within this state. When such companies are operating partly within and partly without this state, the gross receipts within this state shall be deemed to be all receipts on business

beginning and ending within this state, and a proportion, based on the proportion of the mileage within this state to the entire mileage over which such business is done, of receipts on all business passing through, into, or out of this state.

The percentages above mentioned shall be as follows: On all railroad companies, including street railways, 4 per cent; on all sleeping car, dining car, drawing room car, palace car companies, refrigerator, oil, stock, fruit, and other car loaning and other car companies, 3 per cent; and all companies doing express business on any railroad, steamboat, vessel, or stage line, 2 per cent; on all telegraph and telephone companies, 3½ per cent; on all companies engaged in the transmission or sale of gas or electricity, 4 per cent.

Such taxes shall be in lieu of all other taxes and licenses, state, county, and municipal, upon the property above enumerated of such companies except as otherwise in this section provided: *Provided*, That nothing herein shall be construed to release any such company from the payment of any amount agreed to be paid or required by law to be paid for any special privilege or franchise granted by any of the municipal authorities of this state.

(*b*) Every insurance company or association doing business in the state shall annually pay to the state a tax of 1½ per cent upon the amount of the gross premiums received upon its business done in this state, less return premiums and reinsurance in companies or associations authorized to do business in this state: *Provided*, That there shall be deducted from said 1½ per cent upon the gross premiums the amount of any county and municipal taxes paid by such companies on real estate owned by them in this state. This tax shall be in lieu of all other taxes and licenses, state, county, and municipal, upon the property of such companies, except county and municipal taxes on real estate, and except as otherwise in this section provided: *Provided*, That when by the laws of any other state or country any taxes, fines, penalties, licenses, fees, deposits of moneys, or of securities, or other obligations or prohibitions, are imposed on insurance companies of this state, doing business in such other state or country, or upon their agents therein, in excess of such taxes, fines, penalties, licenses, fees, deposits of money, or of securities, or other obligations or prohibitions, imposed upon insurance companies of such other state or country, so long as such laws continue in force, the same obligations and prohibitions of whatsoever kind may be imposed by the legislature upon insurance companies of such other state or country doing business in this state.

(*c*) The shares of capital stock of all banks, organized under the laws of this state, or of the United States, or of any other state and located in this state, shall be assessed and taxed to the owners or holders thereof by the state board of equalization, in the manner to be prescribed by law, in the city or town where the bank is located and not elsewhere. There shall be levied and assessed upon such shares of capital stock an annual tax, payable to the state, of 1 per cent upon the value thereof. The value of each share of stock in each bank, except such as are in liquidation, shall be taken to be the amount paid in thereon, together with its pro rata of the accumulated surplus and undivided profits. The value of each share of stock in each bank which is in liquidation shall be taken to be its pro rata of the actual assets of such bank. This tax shall be in lieu of all other taxes and licenses, state, county, and municipal, upon such shares of stock and upon the property of such banks, except county and municipal taxes on real estate and except as otherwise in this section provided. In determining the value of the capital stock of any bank, there shall be deducted from the value, as defined above, the value as assessed for county taxes, of any real estate, other than mortgage interests therein, owned by such banks and thus taxed for county purposes. The banks shall be liable to the state for this tax and the same shall be paid to the state by them on behalf of the stockholders in the manner and at the time prescribed by law, and they shall have a lien upon the shares of stock and upon any dividends declared thereon to secure the amounts so paid.

The moneyed capital, reserve surplus, undivided profits, and all other property belonging to unincorporated banks or bankers of this state, or held by any bank located in this state which has no shares of capital stock, or employed in this state by any branches, agencies, or other representatives of any banks doing business outside of the state of California, shall be likewise assessed and taxed to such banks or bankers by the said board of equalization, in the manner to be provided by law, and taxed at the rate that is levied upon the shares of capital stock of incorporated banks, as provided in the first paragraph of this subdivision. The value of said property shall be determined by taking the entire property invested in such business, together with all the reserve, surplus, and undivided profits, at their full cash value, and deducting therefrom the value as assessed for county taxes of any real estate, other than mortgage interests therein, owned by such bank and taxed for county purposes. Such taxes shall be in lieu of all other taxes and licenses, state, county, and municipal, upon the property of the banks and bankers mentioned in this paragraph, except county and municipal taxes on real estate and except as otherwise in this section provided. It is the intention of this paragraph that all moneyed capital and property of the banks and bankers mentioned in this paragraph shall be assessed and taxed at the same rate as an incorporated bank, provided for in the first paragraph of this subdivision. In determining the value of the moneyed capital and property of the banks and bankers mentioned in this subdivision, the said state board of equalization shall include and assess to such banks all property and everything of value owned or held by them, which go to make up the value of the capital stock of such banks and bankers, if the same were incorporated and had shares of capital stock.

The word "banks" as used in this subdivision shall include banking associations, savings and loan societies, and trust companies, but shall not include building and loan associations.

(*d*) All franchises, other than those expressly provided for in this section, shall be assessed at their actual cash value, in the manner to be provided by law, and shall be taxed at the rate of 1 per centum per year, and the taxes collected thereon shall be exclusively for the benefit of the state.

(*e*) Out of the revenues from the taxes provided for in this section, together with all other state revenues, there shall be first set apart the moneys to be applied by the state to the support of the public school system and the State University. In the event that the above-named revenues are at any time deemed insufficient to meet the annual expenditures of the state, including the above-named expenditures for educational purposes, there may be levied, in the manner provided by law, a tax, for state purposes, on all the property in the state, including the classes of property enumerated in this section, sufficient to meet the deficiency. All property enumerated in subdivisions *a*, *b*, and *d* of this section shall be subject to taxation, in the manner provided by law, to pay the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township, or district, before the adoption of this section. The taxes so paid for principal and interest on such bonded indebtedness shall be deducted from the total amount paid in taxes for state purposes.

(*f*) All the provisions of this section shall be self-executing and the legislature shall pass all laws necessary to carry this section into effect, and shall provide for a valuation and assessment of the property enumerated in this section, and shall prescribe the duties of the state board of equalization and any other officers in connection with the administration thereof. The rates of taxation fixed in this section shall remain in force until changed by the legislature, two-thirds of all the members elected to each of the two houses voting in favor thereof. The taxes herein provided for shall become a lien on the first Monday in March of each year after the adoption of this section and shall become due and payable on the first Monday in July thereafter. The gross receipts and gross premiums herein mentioned shall be computed for the year ending the 31st day of December prior to the levy of such taxes and the value of any property mentioned herein shall be fixed as of the first Monday in March. Nothing herein contained shall affect any tax levied or assessed prior to the adoption of this section; and all laws in relation to such taxes in force at the time of the adoption of this section shall remain in force until changed by the legislature. Until the year 1918 the state shall reimburse any and all counties which sustain loss of revenue by the withdrawal of railroad property from county taxation. The legislature shall provide for reimbursement from the general funds of any county to districts therein where loss is occasioned in such districts by the withdrawal from local taxation of property taxed for state purposes only.

(*g*) No injunction shall ever issue in any suit, action, or proceeding in any court against this state or against any officer thereof to prevent or enjoin the collection of any tax levied under the provisions of this section; but after payment action may be maintained to recover any tax illegally collected in such manner and at such time as may now or hereafter be provided by law.

ARTICLE IV.

SEC. 22. * * * That for the purpose of raising $5,000,000 to be used in establishing, maintaining, and supporting in the city and county of San Francisco, state of California, an exposition in commemoration of the completing of the Panama Canal, to be known as the Panama-Pacific International Exposition, the state board of equalization shall, for the fiscal year beginning July 1, 1911, and for each fiscal year thereafter, to and including the fiscal year beginning July 1, 1914, fix, establish, and levy such an ad valorem rate of taxation, as when levied upon all the taxable property in the state, after making due allowance for delinquency, shall produce for each of such fiscal years a sum of $1,250,000. The said taxes shall be levied, assessed, and collected upon every kind and character of property in the state of California not exempt from taxation under the law, and subject to taxation on the 1st day of July, 1910, and in the same manner, and by the same method, as other state taxes are levied, assessed, and collected under the law, as the same existed on the 1st day of July, 1910.

The state board of equalization shall each year, at the time it determines the amount of revenue required for other state purposes, determine, fix, and include the rate of tax necessary to raise the revenue herein provided for.

There is hereby created in the state treasury a fund to be known as the Panama-Pacific International Exposition fund, and all moneys collected pursuant to this provision, after deducting the proportionate share of the expense for the collection of the same, shall be paid into the state treasury and credited to such fund. All moneys so paid into such fund are hereby appropriated, without reference to fiscal years, for the use, establishment, maintenance, and support of said exposition. No tax, license fee, or charge of any kind or character shall ever be levied or assessed or charged against any property of said exposition, or against any property used as exhibit therein, while being used or exhibited in connection therewith.

SEC. 25. The legislature shall not pass local or special laws in any of the following enumerated cases; that is to say, * * * tenth, for the assessment or collection of taxes; * * * thirteenth, extending the time for the collection of taxes, * * * twentieth, exempting property from taxation.

ARTICLE IX.

SEC. 6. * * * The entire revenue derived from the state school fund and from the general state school tax shall be applied exclusively to the support of day and evening elementary schools; but the legislature may authorize and cause to be levied a special state school tax for the support of day and evening secondary schools and technical schools, or either of such schools, included in the public school system; and all revenue derived from such special tax shall be applied exclusively to the support of the schools for which said special tax shall be levied.

SEC. 10. All property now or hereafter held in trust for the founding, maintenance, or benefit of the Leland Stanford Junior University, or of any department thereof, may be exempted by special act from state taxation, and all personal property so held; the Palo Alto farm as described in the endowment grants to the trustees of the university, and all other real property so held and used by the university, for educational purposes exclusively, may be similarly exempted from county and municipal taxation: *Provided*, That residents of California shall be charged no fees for tuition unless such fees be authorized by act of the legislature.

SEC. 11. All property now or hereafter belonging to the California School of Mechanical Arts, having its school buildings located in the city and county of San Francisco, shall be exempt from taxation. The legislature may modify, suspend, and revive at will the exemption from taxation herein given.

SEC. 12. All property now or hereafter belonging to the California Academy of Sciences, having its buildings located in the city and county of San Francisco, shall be exempt from taxation. The legislature may modify, suspend, and revive at will the exemption herein given.

SEC. 13. All property now or hereafter belonging to the Cogswell Polytechnic College, having its buildings located in the city and county of San Francisco, shall be exempt from taxation. The legislature may modify, suspend, and revive at will the exemption herein given.

ARTICLE XI.

SEC. 7½. Any county may frame a charter for its own government consistent with and subject to the constitution * * * by submitting the question at a general or special election * * * for the formation, in such counties, of road districts for the care, maintenance, repair, inspection, and supervision only of roads, highways, and bridges; * * * for the organization, government, powers, and jurisdiction of such districts and divisions, and for raising revenue therein, for such purposes, by taxation, upon the assent of a majority of the qualified electors of such districts or divisions, * * * for the incurring of indebtedness therefor by such counties, districts, or divisions for such purposes, * * * and for levying and collecting taxes against the property of the counties, districts, or divisions, for the payment of the principal and interest of such indebtedness at maturity.

SEC. 12. The legislature shall have no power to impose taxes upon counties, cities, towns, or other public or municipal corporations, or upon the inhabitants or property thereof, for county, city, town, or other municipal purposes, but may, by general laws, vest in the corporate authorities thereof the power to assess and collect taxes for such purposes.

SEC. 13. The legislature shall not delegate to any special commission, private corporation, company, association, or individual any power * * * to levy taxes or assessments.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The county assessors, elected for four years.
(2) The county auditor, elected for four years.
(3) The county collectors, who are usually ex officio the license collectors, elected for four years.
(4) The county boards of supervisors, who act ex officio as county boards of equalization.
(5) The state board of equalization, consisting of the state controller and four members elected by districts, for four years, assesses the franchises and gross earnings of public service and certain other corporations and pe forms numerous other duties.
(6) The state controller, elected for four years.
(7) The state treasurer, elected for four years.

Certain cities may elect their own assessors and tax collectors for municipal taxation.

State Revenues.

A. GENERAL PROPERTY TAXES.

The only general property tax now levied by the state is for the Panama Exposition. The law authorizing this tax provides that:

The state board of equalization shall, for the fiscal year beginning July 1, 1911, and for each fiscal year thereafter to and including the fiscal year beginning July 1, 1914, fix, establish, and levy such an ad valorem rate of taxation as, when levied upon all the taxable property in the state, after making due allowance for delinquency, shall produce for each of such fiscal years a sum of $1,250,000. The said tax shall be levied, assessed, and collected upon every kind and character of property in the state of California, not exempt from taxation under the law, and subject to taxation on the 1st day of July, 1910; and in the same manner and by the same method as other state taxes are levied, assessed, and collected, under the law, as the same existed on the 1st day of July, 1910.

The property subject to this tax, method of assessment, collection, etc., is the same as for county taxation. (See County Revenues.)

B. POLL TAXES.

Every male inhabitant of this state over 21 and under 60 years of age, except paupers, insane persons, and Indians not taxed, must annually pay a poll tax of $2, which is due and becomes a lien on property the first Monday in March. If not paid prior to the first Monday in August, the tax becomes $3. After the first Monday in January, if still unpaid, 33⅓ per cent is added, and it is collected by the tax collector in the same manner as other delinquent taxes. The assessor is allowed 15 per cent for the collection of poll taxes and the tax collector 25 per cent for the collection of delinquent poll taxes. The proceeds of this tax are paid into the county treasury to be subsequently paid to the state for the exclusive use of the state school fund.

C. THE INHERITANCE TAX.

With the exception of certain transfers mentioned below which are exempt from the tax, an inheritance tax is imposed on the following transfers of any property, real, personal, or mixed:

When the transfer is by will or by the intestate laws or homestead laws of the state, from any person dying seized or possessed of property while a resident of the state, or by any probate homestead set apart from said property.

When the transfer is by will or intestate laws of property within the state and the decedent was a nonresident of the state at the time of his death.

When the transfer of property in the state is made by a resident or nonresident without valuable and adequate consideration, in contemplation of the death of the person transferring.

The basis of the tax and the amounts exempt are as follows:

Passing to the husband, wife, lineal issue, lineal ancestor of the decedent, or any legally adopted child, or any lineal issue thereof, 1 per cent of the clear value thereof. Property to the value of $24,000 transferred to the widow or a minor child, and of $10,000 to each of the other persons described, is exempt.

Passing to a brother or sister or descendant thereof, of the decedent, a wife or widow of a son, or the husband of a daughter of the decedent, at the rate of 2 per cent of the clear value. Property to the value of $2,000 passing to this class is exempt.

Passing to a brother or sister of the father or mother, or a descendant of a brother or sister of the father or mother of the decedent, at the rate of 3 per cent of the clear value. Property to the value of $1,500 passing to this class is exempt.

Passing to a brother or sister of the grandfather, or grandmother, or a descendant of a brother or sister of the grandfather or grandmother of the decedent, at the rate of 4 per cent of the clear value. Property to the value of $1,000 passing to this class is exempt.

Passing to a person in any other degree of collateral consanguinity than is hereinbefore stated, or a stranger in blood or a body politic, or corporate, at the rate of 5 per cent of the clear value. Property to the value of $500 passing to this class is exempt.

The foregoing rates are termed the primary rates. When the market value of such property or interest exceeds $25,000, the rate of tax on such excess is as follows:

Upon all in excess of $25,000 and up to $50,000, two times the primary rates.

Upon all in excess of $50,000 and up to $100,000, three times the primary rates.

Upon all in excess of $100,000 and up to $500,000, four times the primary rates.

Upon all in excess of $500,000, five times the primary rates.

Transfers exempt from this tax are: Property transferred to societies, corporations, and institutions now or hereafter exempted by law from taxation; or to any public corporation, or to any society, corporation, institution, or association, devoted to any charitable, benevolent, educational, public or other like work, or to any person in trust therefor (pecuniary profit not being its object or purpose).

The superior court fixes the value of the property and the amount of the tax, based on the report of the inheritance tax appraisers.

The tax is a lien upon the property transferred, and the administrator is required to deduct the tax before delivering the property.

The tax is due immediately upon the death of decedent and if paid within six months, a discount of 5 per cent is allowed. If not paid within 18 months, interest at the rate of 10 per cent is charged from the time said tax accrued, unless in the judgment of the court the delay was unavoidable, in which case only 7 per cent is charged from the expiration of said 18 months.

The proceeds of this tax are paid into the state treasury, up to $250,000, for the use of the state school fund, and the excess over $250,000, for the general fund.

D. CORPORATION TAXES.

Taxes levied, assessed, and collected as hereinafter provided, upon railroads, including street railways, whether operated in one or more counties; all car companies operating upon railroads in this state; companies doing express business in this state; telegraph and telephone companies; companies engaged

in the transmission or sale of gas or electricity; insurance companies; banks, banking associations, savings and loan societies and trust companies; and taxes upon all franchises of every kind and nature, shall be entirely and exclusively for state purposes, and shall be levied, assessed, and collected in the manner hereinafter provided. The word "companies" as used in this section, shall include persons, partnerships, joint-stock associations, companies, and corporations.

a. Public service corporations.—Such person or officer as the state board of equalization may designate shall, on or before the first Monday in March of each year, file with the said board a report signed and sworn to showing in detail for the year ending the 31st day of December preceding: A detailed report of its operative[1] property; amount of capital stock issued; dividends paid during the year preceding; funded and floating debts; market value of stocks and bonds; amounts expended for improvements; gross receipts from operation; operating and other expenses and such other matters as the state board shall deem necessary to enable it to assess and levy taxes against such companies. Said tax shall be equal to the percentages hereinafter fixed upon the gross receipts from operation, and when such companies are operating partly within and partly without this state, the gross receipts on business beginning and ending within this state and a proportion based upon the proportion of the mileage within this state to the entire mileage over which such business is done, of the receipts on all business passing through, into, or out of this state. The percentages above mentioned shall be as follows: Railroad companies, including street railways, 4 per cent; palace car companies and private car line companies, 3 per cent; express companies, 2 per cent; telegraph and telephone companies, 3½ per cent; companies engaged in the transmission or sale of gas or electricity, 4 per cent.

b. Insurance companies.—Insurance companies report to the insurance commissioner, who in turn must, on or before the last day of March in each year, make and file with the state board of equalization a report showing all companies engaged in business in this state; total amount of gross premiums received; amount of return premiums and reinsurance; amount of any county and municipal taxes paid on real estate; companies that are subject to a higher rate on account of a retaliatory law. Every insurance company doing business in this state shall annually pay to the state a tax of 1½ per cent upon the amount of gross premiums received upon its business in this state, less return premiums and reinsurance and the amount of any county and municipal taxes paid on real estate owned by them in this state: *Provided*, That this state shall impose the same taxes and licenses upon insurance companies of another state or country as such other state or country imposes upon insurance companies of this state.

c. Banks.—Such officer as the state board of equalization may determine shall, on the first Monday in March or within 10 days thereafter, make and file with said board a statement showing the condition of such bank on the first Monday in March; amount of authorized capital stock; number of shares issued and par value thereof; amount received for stock issued; amount of surplus and undivided profits, if any; list of names of stockholders and number of shares held by each, or in the case of unincorporated banks, and of banks having no capital stock, the moneyed capital, reserve, surplus, undivided profits, and other taxable property; also, for all banks, a description and value of real estate assessed for county taxation. The shares of capital stock of all banks are assessed and taxed to the owners or holders thereof by the state board of equalization, in the city or town where the bank is located, and not elsewhere, at 1 per cent of the value thereof. The value shall be taken to be the amount paid in thereon, with its pro rata of the accumulated surplus and undivided profits. The tax may be paid by the bank on behalf of the stockholders. In determining the value of capital, the value of any real estate owned by such bank, as assessed for county taxes, shall be deducted. Nothing herein contained shall be construed to relieve any bank in this state from the payment of the charges for examination.

d. Franchises.—The secretary of state is to report to the board of equalization before the 1st day of April the names, principal places, date of incorporation, authorized capital stock, and funded debt of all corporations doing business in this state.

The owner or holder of every franchise in this state, subject to taxation, shall, within ten days after the first Monday in March, make a written sworn statement showing the condition, obligation, or burden imposed upon such franchise, or under which the same is enjoyed; the name and nature of the company; amount of authorized capital stock; funded and floating debts; market value of stock and bonds; the assessed value of its property; dividends paid during the year ending December 31 preceding; gross receipts; operating and other expenses; and such other matters as the board may deem necessary. All franchises other than those mentioned under *a*, *b*, and *c* above shall be assessed at their actual cash value after making due deduction for good will, and shall be taxed at the rate of 1 per cent each year. These franchises shall include the actual exercise of the right to be a corporation and do business in this state; also the right, authority, franchise, or permission to maintain wharves, ferries, toll roads, and toll bridges, and to construct, maintain, or operate in, under, above, upon, through, or along any streets, highways, public places or waters, any mains for conducting water, oil, or other substance.

Nothing herein contained shall be construed to release any corporation from the payment of an annual license tax.

Nothing herein contained shall be construed to release any company from the payment of any amount agreed to be paid or required by law to be paid, now or hereafter, for any special privilege or franchise granted by any of the municipal authorities of this state.

The state board of equalization shall meet at the capitol on the first Monday in March and complete its assessment and levy for state taxes by the first Monday in July.

The state board of equalization may, for good cause shown, extend for not exceeding 30 days the time for filing any report herein provided for.

The gross receipts and gross premiums herein mentioned shall be computed for the year ending the 31st day of December prior to the levy of such taxes, and the value of any property mentioned herein shall be fixed as of the first Monday in March.

All the property enumerated herein, except banks, shall be subject to taxation, in the manner provided by law, to pay the principal and interest of any bonded indebtedness created and outstanding by any city, city and county, county, town, township, or district before November 8, 1910; the taxes so paid for principal and interest on such bonded indebtedness shall be deducted from the total amount paid in taxes for state purposes.

Out of the revenues from the taxes provided for herein, together with all other state revenues, there shall first be set apart the moneys to be applied by the state to the public school system and the state university.

[1] Operative property is defined in Sec. 8 of Ch. 335, Statutes of 1911.

The taxes provided for herein are due and payable the first Monday in July and one-half become delinquent on the sixth Monday thereafter, and unless paid prior thereto, 15 per cent shall be added, and unless paid prior to the first Monday in February, 5 per cent additional shall be added. The remaining one-half of said taxes shall become delinquent on the first Monday in February, and 5 per cent shall be added if not paid prior thereto.

All taxes which are not secured by real estate are due and payable at the time the assessment is made. When in the opinion of the state board of equalization there is not sufficient real property to secure the payment of taxes, it may authorize the controller to collect same before the first Monday in August either by seizure or sale. Within three days after the first Monday in February, the controller shall notify all companies whose taxes are delinquent, that if they are not paid by the first Monday in March such companies shall forfeit their right to do business in this state.

Any company or person failing or refusing to make and furnish any report prescribed in this act, or rendering a false or fraudulent report, shall be guilty of a misdemeanor and subject to a fine of not less than $300 and not exceeding $5,000 for each offense.

License tax on corporations.[1]—When authorized capital stock does not exceed $10,000, $10; more than $10,000 but not exceeding $20,000, $15; more than $20,000 but not exceeding $50,000, $20; more than $50,000 but not exceeding $100,000, $25; more than $100,000 but not exceeding $250,000, $50; more than $250,000 but not exceeding $500,000, $75; more than $500,000 but not exceeding $2,000,000, $100; more than $2,000 000 but not exceeding $5,000,000, $200; more than $5,000,000, $250.

New companies filing articles of incorporation between July 1 and September 30 shall pay the full amount of license tax; between October 1 and December 31, three-fourths of the full amount; between January 1 and March 31, one-half of the full amount; between April 1 and June 30, one-fourth of the full amount. This license tax is due on the 1st day of July. If not paid on or before the 1st day of September, it becomes delinquent and a penalty of $10 is added; if not paid by November 30 the corporation forfeits its charter (or right to do business), but same may be revived by payment of license and penalty. All educational, religious, scientific, and charitable corporations, and other corporations not organized for pecuniary profit, are exempt from this license tax.

E. BUSINESS TAXES, LICENSES, AND FEES.

Paid into state treasury annually unless otherwise stated. Insurance broker, placing insurance in unlicensed companies, $25 and 3 per cent of gross premiums collected, less 3 per cent of all return premiums on policies canceled or reduced; fraternal benefit associations, $10; exchange of indemnity in insurance companies, $10; building and loan associations, not less than $10; appropriating water for generating electricity or other power, 10 cents for each horsepower over 100; itinerant vendor of drugs, $200; hunter's license, resident, $1; nonresident, $10; alien, $25; to fish for profit, citizen of the United States, $2.50; alien, $10; wholesale fish dealer, citizen of the United States, $5; alien, $20; to engage in business of manufacturing, selling, or dealing in oleomargarine, or any substance designed to be used as a substitute for butter, manufacturers, $100; wholesale dealers, $50; retail, $5; hotel keeper serving oleomargarine, $2; employment agencies, cities of first, first and a half, and second classes, $50; cities of third and fourth classes, $25; all others, $6; architects, $5; to practice optometry, $5; dentistry, $2; pharmacy, $3; license for stallions and jacks, $1; insurance agent, $1.

[1] It is evident that the license tax on corporations reaches the same source as the franchise tax. A judicial decision in 1912 holds that the license tax based on the amount of capital stock is void insofar as foreign corporations and all those doing wholly or partly an interstate business are concerned. This is on the ground that such license tax is an illegal interference with interstate commerce. (125 Pac. Rep., 236.)

Ex-Union soldiers and sailors are permitted to sell or hawk goods without a license.

Optometry, examination fee, $20; certificate of registration, $5; dentistry, application fee, $25; registration, 50 cents; pharmacy, application, $10; registration, $15; certificate, $5; stallions and jacks, registration, $2.50; architecture, application fee, $15; certificate, $5; exchange of indemnity in insurance companies, certificate of authority, $50; appropriating water for generating electricity, application, $10; fee for license, $100; collected by the secretary of state and paid into the general fund of the state treasury, except that $3,500 is credited to the state library fund; for filing articles of incorporation, capital stock $25,000 or less, $15; $25,000 to $75,000, $25; $75,000 to $200,000, $50; $200,000 to $500,000, $75; $500,000 to $1,000,000, $100; over $1,000,000, $50 additional for each $500,000 or fraction thereof over $1,000,000; filing articles of incorporation without capital stock, $5; cooperative associations, $15; for copy of document filed in his office, 20 cents per folio; affixing certificate and seal of state, $2; recording articles of incorporation, 20 cents per folio; issuing certificate of incorporation, $3; filing certificate of increase of capital stock, $5 for every $50,000 or fraction thereof of such increase; various other fees ranging from $1 to $5; candidates for state office or for the United States Senate pay a filing fee of $50; candidates for Representative in Congress or for any office, except for member of senate and assembly, to be voted for in any district comprising more than one county, pay a filing fee of $10; registering motor vehicles, $2.

For filing copy of articles of incorporation, $55; filing annual statement, $20; insurance companies organized under the laws of another state, for filing bond, $5; appointment of agent, $5; each certificate issued, $5; registering each policy, $1; annual certificate of authority, $10; and various other fees.

For certificate authorizing an issue of bonds, or other evidence of indebtedness, $1 for each $1,000 of the face value of the authorized issue or fraction thereof up to $1,000,000, and 50 cents for each $1,000 over $1,000,000, with a minimum fee in any case of $250; various other fees.

Eighty per cent is credited to general state fund and 20 per cent to supreme court library fund.

Filing transcript on appeal $10; petition for rehearing, $2.50; motion to dismiss appeal, $2.50; petition for writs, $7.50; certificate of admission to bar, $10; certificate under seal, $1. The clerk of the three district courts of appeal receives the same fees, which must be paid into the state treasury, 50 per cent to the general fund and 50 per cent to the library fund of the district court of appeals.

Certificate of purchase, $3; patent, $5; certifying contested case to court, $10.

F. THE INCOME TAX.

There is no income tax in California.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All property in the state not exempt by law is subject to general county taxation except the operative property of public service corporations, banks, and insurance companies, which are taxed on their gross receipts for the support of the state government, as explained under state revenue, and whose property is subject to county taxation only for the purpose of paying indebtedness outstanding on Nov. 8, 1910, and interest thereon. The word "property" includes moneys, credits, bonds, stocks, dues, franchises, and

all other matters and things, real, personal, and mixed, capable of private ownership.

(1) "Real estate" includes the possession of, claim to, ownership of, or right to the possession of land; all mines, minerals, and quarries, in and under the land; all timber belonging to individuals or corporations, growing or being on the lands of the United States, and all rights and privileges appertaining thereto.

(2) "Improvements" include all buildings, structures, fixtures, fences, and improvements erected upon or affixed to the land except telephone or telegraph lines; all fruit, nut-bearing, or ornamental trees and vines, not of natural growth, excepting fruit and nut-bearing trees under 4 years of age and grapevines under 3 years of age; and alfalfa after the first year's planting.

(3) "Personal property" includes everything which is the subject of ownership not included within the meaning of the terms "real estate" or "improvements." "Value" and "full cash value" mean the amount at which the property would be taken in payment of a just debt from a solvent debtor. "Credits" mean those solvent debts not secured by mortgage or trust deed owing to the person, firm, corporation, or association assessed.

(4) "Debt" means those unsecured liabilities owing by the person, firm, corporation, or association assessed to bona fide residents of this state, or firms, associations, or corporations doing business therein.

The law exempts the following property from taxation:

Property of the United States, this state, or any county or municipal corporation within this state. All buildings and so much of the real property as may be required for the convenient use thereof when used solely and exclusively for religious worship; except that property rented, and rent received, for such purposes, shall not be exempt. Property used for free public libraries and free museums, growing crops, and property used exclusively for public schools.

Fruit and nut-bearing trees under the age of 4 years, from the time of planting in orchard form, and grapevines under the age of 3 years, from the time of planting in the vineyard form.

The personal property of every householder to the amount of $100.

All bonds issued by the state of California, or by any county, city, and town, municipal corporation, or district, within said state.

Cemetery lands and property of rural cemetery associations.

Property to the amount of $1,000 of every resident in this state, who has served in the Army, Navy, Marine Corps, or Revenue-Marine Service of the United States in time of war, and received an honorable discharge therefrom; or the widow, widowed mother, pensioned widow, father, and mother of such resident: *Provided*, That this exemption shall not apply to any person named herein owning property to the value of $5,000 or more.

Funds of fraternal benefit societies.

Mortgages, deeds of trust, contracts, or other obligations by which a debt is secured, when land is pledged as security for the payment thereof, together with the money represented by such debt.

Property belonging to the Leland Stanford Junior University, including the Palo Alto farm, the California School of Mechanical Arts, the California Academy of Sciences, and the Cogswell Polytechnic College.

Property of Panama-Pacific Exposition or any property used as exhibit therein, while being used or exhibited in connection therewith.

b. Assessment.—All taxable property, except certain property enumerated under subdivisions *a*, *b*, and *d* of section 14, article 13, of the constitution, which is subject to county taxation only for the payment of indebtedness outstanding November 8, 1910, and which is assessed by the state board of equalization and apportioned to the counties, is required to be assessed at its true cash value annually for county purposes by the county assessors. The assessment refers to noon of the first Monday in March. It is made on the basis of a sworn statement to be obtained by the assessor from the taxpayers. Persons who refuse to furnish the statement required forfeit for each and every refusal the sum of $1,000, one-half to be paid into the county treasury and the remaining one-half to be retained by the assessor.

The assessment as above made is the only basis of taxation for the county, school, and road districts; but certain cities and towns may have a separate valuation as the basis of municipal taxes.

"Land and improvements" are assessed separately. Cultivated and uncultivated land of the same quality and similarly situated are assessed at the same value.

Lands sold by the state or the United States for which no patent has been issued are assessed the same as other lands, but the owner is entitled to a deduction equal to the amount due.

Lands are assessed in parcels not exceeding 640 acres, and tracts of land surveyed by the United States Government are assessed by sections or fractions of sections.

In assessing solvent credits not secured by mortgage a deduction is made of debts due to bona fide residents of the state.

Deposits in savings and loan corporations are, for purposes of taxation, deemed an interest in the property of the corporation and are not assessed to the depositor.

Real estate of banks and insurance companies is assessed for county and municipal taxation; also nonoperative property of public service corporations.

Vessels that are required to be registered, except ferryboats, are assessed in the county where registered, enrolled, or licensed; vessels which are registered out of the state, but ply in waters within the state and are owned by residents of the state, must be assessed in the state.

Where ferries connect more than one county, the wharves, storehouses and all stationary property, belonging to such ferries must be assessed in the county where located. The value of the franchise and water craft, and of all toll bridges connecting more than one county must be assessed in equal proportions in the counties connected by such ferries or toll bridges.

All boats and small craft not required to be registered must be assessed in the county where their owner resides.

Any property wilfully concealed, removed, transferred, or misrepresented by the owner, or agent thereof, to evade taxation, upon discovery shall be assessed at not exceeding ten times its value.

Any property discovered by the assessor to have escaped assessment for the preceding year, if such property is in the ownership or control of the same person who owned or controlled it for such preceding year, may be assessed at double its value.

Water ditches constructed for mining, manufacturing, or irrigating purposes, and wagon and turnpike toll roads are assessed as real estate at a rate per mile for that portion of the property lying within each county.

Mortgages are treated as interests in the property affected, except as to railroad and other quasi public corporations. The value of the property less the value of the security is taxed to the owner of the property; the value of the security, to the owner thereof; both in the county, city or district where the property affected thereby is located. The parties, however, may by contract provide that the debtor pay the whole tax.

c. Equalization.—The board of equalization of each county meets on the first Monday of July in each year to equalize the assessment between individuals and to increase or lower any valuation contained in the roll

to make the assessment conform to the true value of the property in money, and in general to revise the list of the county. The board can make no reduction in the valuation of property unless the party affected thereby files under oath an application therefor.

The state board of equalization prescribes rules and regulations governing the county board of equalization and county assessors; equalizes the valuation of the taxable property of the several counties; increases or lowers the entire assessment roll so as to equalize the assessment of the property contained in said roll and make the assessment conform to the true value in money; and fixes the rate of state taxation whenever it becomes necessary to use the general property tax for state revenue. On the second Monday in August the county auditor is to report to the state board the value of each piece of real estate belonging to each bank in his county assessed for county taxation. If found to be assessed above its full cash value, the said board shall fix the true value which shall be the sole basis for county taxation. The same shall be done in respect to real estate owned by insurance companies.

2. *Rate.*

The board of supervisors of each county fixes annually the rate of county taxes, designating the number of cents levied on each $100 of property for each fund.

There is a limit of 50 cents on each $100 to pay bonded indebtedness.

The county tax for road district purposes levied on all property outside the limits of incorporated towns and cities is limited to 40 cents per $100 of assessed valuation, but the supervisors may, with the consent of voters, levy a special tax not to exceed 50 cents on each $100 to protect roads from storm waters and floods. The supervisors have power to levy a special road fund tax of not to exceed 2 mills on the dollar of all property in the county outside of incorporated cities and towns for the construction and maintenance of the county highways in the several road districts in proportion to the amount collected in each district, and in addition, upon the petition of a majority of the property owners of any road district, it shall be their duty to levy a special road fund tax of not to exceed 2 mills on the dollar of the assessed valuation of all the property in the district, for the maintenance of the public highways therein. Also to levy a special sanitary tax of not to exceed one-half mill on the dollar of assessed valuation of all the property in the county outside of incorporated cities and towns for the purpose of general sanitation.

Whenever any county highway is improved under a county bond issue, which bond issue covers all property of the county, the board of supervisors must annually, for each fiscal year, levy a tax not to exceed 3 cents on each $100 of value of taxable property of the county, for each 100 miles of county highways improved under the bond issue therefor, to be collected same as other taxes and kept in a fund known as "The county highway maintenance fund."

By a two-thirds vote of any county board of supervisors a special tax is authorized for the creation of a fund to be used in the exhibition of products of the county at any domestic or foreign exposition. The rate for such tax is limited to 6 mills.

In counties where a lighting district has been established the board of supervisors must levy a special tax upon all the property within the district at the equalized value thereof. The rate must be sufficient in amount for the installation, maintenance or addition of lights, or all of these purposes.

The assessor shall be governed as to the amount of taxes to be collected by him upon the personal property unsecured by real property by the rate for the previous year.

3. *Collection.*

Except for certain taxes on personal property, and the taxes on public utility companies to pay bonded indebtedness and interest thereon, county taxes are collected by the county tax collector. They may be paid in two instalments. The first instalment, which includes all taxes on personal property and one-half the taxes on real property, becomes due the second Monday in October, and delinquent on the last Monday in November. The remaining one-half of the taxes on real property is payable the first Monday in January and delinquent the last Monday in April. Penalties of 15 per cent are added to the first and 5 per cent to the second instalment for delinquency, with 5 per cent more on the first if not paid when the second is due.

The taxes of public utility companies are collected by the state treasurer and by him paid over to the county.

Taxes on land and improvements are a lien on the property assessed, and taxes on personal property are a lien on all the property, real and personal, of the owner. The liens attach as of the first Monday in March.

Land on which taxes are delinquent is sold to the state by operation of law upon publication of the delinquent list in June. The controller may, instead, bring an action for taxes amounting to over $300.

The tax collector must collect, in addition to the taxes due on the delinquent list, together with the penalties for delinquency, 50 cents on each lot, piece, or tract of land separately assessed, and on each assessment of personal property, which shall be paid to the county and be placed to the credit of the salary fund.

In all cases where land has been sold for delinquent taxes, same may be redeemed within 5 years, by the owner, his heirs, administrators, executors or other successors, in interest, by paying the amount of all penalties and costs thereon and the aggregate amount of taxes with interest at the rate of 7 per cent. The penalties are as follows: If redeemed within 6 months, 10 per cent; 1 year, 20 per cent; 2 years, 30 per cent; 3 years, 40 per cent; 4 years, 45 per cent; 5 years, 50 per cent.

When state lands upon which the full purchase price has not been paid, have been sold to the state for delinquent taxes, the said lands shall again become subject to entry and sale, except that the former possessors or owners of the land, their heirs or assigns, shall be preferred purchasers thereof for the period of six months, upon payment of all taxes, penalties, and costs.

Taxes on possessory claims to land and personal property belonging to persons who own no real estate to secure such taxes are collected by the assessor at the time of making the assessment.

B. POLL TAXES.

The board of supervisors may levy annually on each male person over 21 and under 55 years of age in each road district a road poll tax not exceeding $3. It is collected by the county assessor in the same manner as the state poll tax. Thirty-five per cent may be apportioned to the general road fund of the county and the balance to the districts of the county from

which collected, to be expended therein. On notice from the road overseer, employers are responsible for road taxes assessed against employees.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no inheritance and corporation taxes for the county.

E. BUSINESS TAXES, LICENSES, AND FEES.

Boards of supervisors of the counties of the state, in the exercise of their police powers, have power to license every kind of business not prohibited by law, and all exhibitions and games carried on in the county.

The supervisors fix the rates of license taxes for the county.

It is the duty of the tax collector to make inquiry as to persons liable to pay any license in his county. He collects $1 fee for each license issued, which goes into the salary fund of the county.

Licenses are classified generally with regard to amount of monthly sales or valuation of the business.

The licenses are as follows:

Animals for propagation, $10 to $75 per annum (these entitle the holder to go into any county of the state for purposes of propagation without further license or expense); billiard tables and bowling alleys, each $5 per quarter; brokers and trust companies buying and selling notes, stocks, gold and silver bullion, $3 to $100 per quarter; auctioneers, $7.50 to $400 per quarter; theaters, $200 to $300 per quarter, $400 to $600 per year; circus, $5 to $10 for each performance; peddler, $5 per month, with wagon, $15 per month; intelligence office, $15 per quarter; livery stable, $1 to $50 per month; merchants, $1 to $50 per month; pawnbroker, $30 per quarter; retail liquor license, in quantities of less than one quart, $5 to $40 per month; the license for toll bridges and ferries must not exceed 10 per cent of the tolls annually collected.

The county clerk collects the following fees:

Commencing proceedings in superior court, $5; filing petition for letters of administration, $5; filing petition to contest will, $3; filing appearance of defendant, $2; placing action on calendar for hearing, $2; motion for new trial, $2; marriage license, $2; and various fees ranging from 10 cents to $1. Other fees are collected by various other county officers. All fees directed to be paid into the county treasury are set apart as a salary fund for the county officers.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property subject to taxation for municipal revenues is the same as that for county purposes. The assessment made by the county assessor and equalized as above described may be the basis of taxation, but certain cities may elect to have their own assessors and make a separate valuation.

2. *Rate—*

The rate is fixed by the municipal authorities, subject to a general limitation that it may not exceed $1 on each $100 for general purposes.

A municipality may, however, for public improvements levy a special tax in addition to the above. The rate for such special tax is limited to 5 mills, and for providing parks and music and for advertising purposes an additional rate of 1½ mills is allowed.

Sewer districts may be organized in any city and a special tax levied on the property within the districts. Several cities may jointly form a water district and a special tax may be levied on property included within the bounds of such district.

3. *Collection—*

The collection may be as for county taxes or by local collectors, which is usually the case when a separate assessment is made.

B. POLL TAXES.

Cities of the third, fifth, and sixth classes are empowered to levy a street poll tax of $2 on male inhabitants between the ages of 21 and 60 years. In cities no other (i. e., no county) road poll tax may be levied. In cities of the fifth class members of any voluntary fire department are exempt from street poll taxation.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no municipal inheritance or corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

The legislative bodies of incorporated cities and towns have the same power to license all kinds of business and exhibitions as have the supervisors of counties. In addition to the county license, the city license must be procured as required by city ordinance.

Certain cities collect a tax of $2 on dogs.

School Revenues.

The superintendent of schools in each county apportions all state and county school moneys to the various districts. The state school fund may be used for no other purpose than for the payment of salaries of teachers of primary and grammar schools.

The board of supervisors of every county must levy annually a county school tax, the maximum rate of which must not exceed 50 cents on each $100 of taxable property in the county, nor the minimum rate be less than sufficient to raise the amount estimated as necessary by the county superintendent.

Out of all state revenues from taxes there shall first be set apart the moneys to be applied by the state to the support of the public school system and the state university.

Prior to 1910 there was levied annually on all property in the state 3 cents on each $100 for the support of the state university. As the new constitutional amendments of 1910 separated the sources of state and local taxation, a statute of 1911 provides for a school fund from state revenues equaling the amount

received from the 3 per cent ad valorem tax in 1911, plus a cumulative increase of 7 per cent per annum on that amount. The public school fund is augmented by the annual transfer of an amount equivalent to $13 for each pupil in average daily attendance in elementary schools. A high school fund is maintained by the transfer from the general state revenues of an amount equivalent to $15 for each pupil.

The board of supervisors may, in their judgment, levy a special tax upon all the property in the county not in any high school district for the purpose of educating high school pupils in the county not residing in any high school district; also, by submitting to vote, may levy a tax for the equipment and maintenance of a union high school library or to establish high school districts.

All state school moneys are apportioned by the superintendent of public instruction to the several counties according to the average daily attendance.

Every city or incorporated town, unless subdivided by the legislative authority thereof, constitutes a separate school district. School trustees, three in number, are elected annually. In cities they are called boards of education.

The board of school trustees may in any year call an election and submit to the electors of the district the question of the raising of a tax to furnish additional school facilities or to maintain or build schoolhouses. The board of supervisors then levies the tax at the time of levying the county taxes.

The maximum rate of tax levied by a district in any one year for building purposes must not exceed 70 cents on each $100, and for other school purposes 30 cents.

The proceeds of the state poll tax and the interest on bonds of estates of deceased persons are paid into the state school fund.

Road Districts.

The county supervisors establish road districts and fix the taxes therefor, not to exceed 40 cents for $100 of assessed valuation. They may levy a poll tax not to exceed $3. By a vote of the people in the districts a special tax not to exceed 50 cents on the $100 assessed valuation may be levied to protect roads from storm waters and floods.

Upon petition of a majority of the property owners of any road district the county board is to levy a special road fund tax of not exceeding 2 mills on the dollar for the maintenance of the public highways therein. No county road tax may be levied on property in cities.

Reclamation Districts.

The owners of any body of swamp, overflowed, salt marsh, or tide lands may, by petition to the board of supervisors, form a reclamation district, and those owning the greater part of the acreage may adopt by-laws to govern their affairs. A board of three trustees is elected, which recommends plans. The board of supervisors appoints three commissioners to assess upon the land situated in the district a charge proportionate to the expense and benefits conferred.

Irrigation Districts.

Irrigation districts may be formed and assessments may be made for the completion of irrigation works. The question as to the advisability of levy and the amount of such levy is submitted to a vote of the electors of the district. The assessor of the district prepares a list of all property within the district and this is equalized by the board of directors. The board of directors then levies the assessment. The tax becomes a lien, and property may be sold for delinquent taxes.

Other Districts.

Various other districts, such as drainage, levee, lighting, protection, overflow, boulevard, and cemetery, may be formed and special assessments levied for the forming and maintenance thereof, by submitting to vote of property owners in the proposed district.

Legislation affecting revenue laws: 1913.

The rates of taxation on property taxed exclusively for state purposes were changed to read as follows:

Railroads, including street railways, 4½ per cent on gross receipts.
Car companies, 4 per cent on gross receipts.
Express companies, 2 per cent on gross receipts.
Telegraph and telephone companies, 4⅘ per cent on gross receipts.
Transmission of gas and electricity for sale, 4⅘ per cent on gross receipts.
Insurance companies, 1½ per cent on gross premiums.

The corporation license tax was repealed. Upon request of a bank its capital stock may be assessed to and in the name of the bank instead of to the shareholders.

A "Blue Sky" law for the regulation of investment companies was enacted. They are required to pay filing fees of from $5 to $25, according to the par or face value of the securities offered for sale. Broker's fee, $5.

The rates on the inheritance tax were amended as follows:

Upon all bequests in excess of $100,000 and up to $250,000, 4 times the primary rates; in excess of $250,000 and up to $500,000, 5 times the primary rates; in excess of $500,000 and up to $1,000,000, 5 times the primary rates and 2½ per cent of the clear market value of such interest; in excess of $1,000,000, 5 times the primary rates and 5 per cent of such interest. An inheritance tax department was established, and it was enacted that 5 per cent of this tax should be paid into the public school teachers' permanent fund.

For private corporations, individuals, or associations to own, operate, manage, or control a pipe line for transportation of crude oil, petroleum, or any of its products along, over, or under any public highway within this state a license fee of $250 and 50 cents per barrel transported was imposed.

Oil pipe line and water companies were declared public utilities and to be taxed as such. Provision was made for state aid to highways, two-thirds of the construction cost, and one-half of the maintenance cost to be borne by the counties, the balance by the state.

For appropriating water for generation of electricity $2.50 for each theoretical horsepower up to 100, minimum fee, $25; over 100 horsepower to 10,000 horsepower, $500; over 10,000 horsepower, $1,000; for appropriating water for purposes other than generating electricity, $10; to breed and domesticate game animals, $25; to operate cold storage, $50; chauffeur's license, $2; registering motorcycle, $2; automobiles, $5 to $30, according to horsepower; dealers in automobiles for operating upon the public highways not more than five, $50, and $10 for each one over five so operated.

Physicians: Certificate fee for residents, $25; for retired surgeons of the Army or Navy of the United States and for physicians and surgeons of other states and countries, certificate fee, $50.

Every bank, on opening a branch bank, to pay $50 for certificate of authority; for examining title, $20; for appraisement, $5.

The total tax for high school purposes in county shall not exceed 75 cents on $100 assessed valuation.

COLORADO.[1]

The principal source of revenue for state and local purposes in Colorado is the general property tax. It is administered by the county officials. Considerable revenue for state purposes is also obtained from the inheritance tax and certain fees.

Constitutional provisions.

Article IX.

Sec. 5. The public school fund of the state shall consist of the proceeds of such lands as have heretofore been, or may hereafter be, granted to the state by the General Government for educational purposes; all estates that may escheat to the state; also all other grants, gifts, or devises that may be made to this state for educational purposes.

Article X.

Sec. 2. The general assembly shall provide by law for an annual tax, sufficient, with other resources, to defray the estimated expenses of the state government for each fiscal year.

Sec. 3. All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws, which shall prescribe such regulations as shall secure a just valuation for taxation of all property, real and personal: *Provided*, That the personal property of every person being the head of a family, to the value of $200, shall be exempt from taxation. Ditches, canals, and flumes owned and used by individuals or corporations for irrigating land owned by such individuals or corporations, or the individual members thereof, shall not be separately taxed so long as they shall be owned and used exclusively for such purpose.

Sec. 4. The property, real and personal, of the state, counties, cities, towns, and other municipal corporations, and public libraries, shall be exempt from taxation.

Sec. 5. Lots with buildings thereon, if said buildings are used solely and exclusively for religious worship, for schools, or for strictly charitable purposes, also cemeteries not used or held for private or corporate profit, shall be exempt from taxation, unless otherwise provided by general law.

Sec. 6. All laws exempting from taxation property other than that hereinbefore mentioned shall be void.

Sec. 7. The general assembly shall not impose taxes for the purposes of any county, city, town, or other municipal corporation, but may by law vest in the corporate authorities thereof, respectively, the power to assess and collect taxes for all purposes of such corporation.

Sec. 8. No county, city, town, or other municipal corporation, the inhabitants thereof, nor the property therein, shall be released or discharged from their or its proportionate share of taxes to be levied for state purposes.

Sec. 9. The power to tax corporations and corporate property, real and personal, shall never be relinquished or suspended.

Sec. 10. All corporations in this state, or doing business therein, shall be subject to taxation for state, county, school, municipal, and other purposes, on the real and personal property owned or used by them within the territorial limits of the authority levying the tax.

Sec. 11. The rate of taxation on property, for state purposes, shall never exceed 4 mills on each dollar of valuation. This provision shall not apply to appropriations or expenditures to suppress insurrections, defend the state, or assist in defending the United States in time of war.

Sec. 15. There shall be a state tax commission, consisting of three members, to be appointed by the governor, by and with the consent of the senate. The duty of said commission shall be to adjust, equalize, raise, or lower the valuation of real and personal property among the several counties of the state. There shall be in each county of this state a county board of equalization, consisting of the board of county commissioners of said county. The duty of the county board of equalization shall be to adjust, equalize, raise, or lower the valuation of real and personal property within their respective counties, subject to revision, change, or amendment by the state tax commission. The state tax commission and county board of equalization shall also perform such other duties as may be prescribed by law.

Article XI.

Sec. 4. (Provides a tax for debt purposes.)

Officers.

The officers most directly concerned with taxation are:

(1) The county assessors, elected for a term of two years.

(2) The county treasurers, elected for a term of two years, who collect the taxes.

(3) The county commissioners, three in each county (five in counties of over 70,000 population), elected for four years, who act as county board of equalization.

(4) The state tax commission, consisting of three members, to be appointed by the governor by and with the consent of the senate.

(5) The Colorado Tax Commission, created by an act of June 2, 1911, composed of three members, one appointed biennially for a term of six years, by the governor and treasurer. This board has general supervision over local assessments.

State Revenues.

A. General property taxes.

1. *Base—*

a. The property included and exempt.—All property not expressly exempt by law is subject to taxation. This includes tangible and intangible property and the money of nonresidents, kept, used, loaned, and invested within the state for profit.

(1) Real estate includes all lands or interests in land, all mines, minerals, and quarries, and rights and privileges appertaining thereto, also improvements, including buildings, water rights, structures, fixtures, and fences.

[1] This compilation is derived mainly from the following sources:
Revised Statutes of Colorado.
Session Laws to 1913.
Report of State Tax Commission, 1912.

(2) Personal property includes everything subject to ownership, whether tangible or intangible, not included in real estate.

Debts may be deducted from credits.

(3) Where property is mortgaged it is to be taxed as a unit at the value of the property pledged and the mortgage as such is not to be assessed.

(4) The following classes of property, in addition to public property, are exempt: Public libraries; churches and parsonages to the extent of $3,000; schools and charity buildings and the land they occupy; cemeteries; household goods to the value of $200; and irrigation works used exclusively for irrigating owners' lands.

(5) Except banks, stock in corporations which are taxed on their property, is not taxable to the owner.

b. Assessment.—With the exceptions noted below, property is required to be listed and assessed annually at its full cash value[1] as on the 1st day of April by the county assessors, on the basis of returns made by the taxpayers. The assessors determine the value and may examine the taxpayer under oath.

Failure to make return, or making false return if it results in evasion of taxes involved, incurs a penalty of not more than $1,000, to be recovered by the county commissioners in any court of competent jurisdiction. False returns on mines may be prosecuted as for perjury.

The assessment of money and merchandise is based upon the average amount held throughout the year. The assessors are required to list for taxation the money invested in the securities of manufacturing concerns, less the value of their tangible property locally assessed.

Railroad, telegraph, telephone, express, sleeping car and private car companies are assessed by the state tax commission upon the true value of the property of such companies in the state determined by the unit rule on a mileage basis.

Special privileges, franchises, and the like are classed as intangible property and assessed in connection with the tangible property as a unit.

Corporations (other than those assessed by the tax commission) doing business in more than one county make their returns to the state auditor, and the intangible property is valued by the assessors and is apportioned among the counties in proportion to their tangible property.

Bank accounts are assessed as credits. Residents of the state must list for taxation the average amount of their deposits in all banks, including banks located in other states.

Building and loan associations are assessed on surplus of property and credits over debts and shares.

In the case of property mortgages, conveyed or pledged for security of a loan or debt then due, the property, notes, mortgages, deeds of trust, etc., are assessed as a unit.

Mines are divided into two classes, producing and nonproducing. A producing mine is defined as one yielding $5,000 or more gross per annum. Such mines when yielding gold, silver, lead, copper, or other precious metals are assessed at one-fourth the gross product, unless that be less than the net product, in which case the latter rules; but surface improvements and machinery are assessed separately. Mines of iron, coal, and asphaltum, and quarries are assessed as other property. Nonproducing mines are not to be assessed at a higher rate per acre than the lowest producing mine in the same location.

Shares of capital stock in banks (including national banks) are assessed where the bank is located, and the bank is made the agent of the stockholders for the payment of the tax, returns of assessments, etc.

[1] This legal requirement was not enforced until 1913. In 1912 the total assessed valuation of all property in the state was $422,442,079, while in 1913 the valuation was increased to $1,306,647,630.

Migrating cattle may be assessed at any time of year.

Live stock driven into a county for the purpose of grazing therein, at any time in any year, is liable to be assessed for all taxes leviable in that county. Stock herded or ranged in one county a part of the year, and in another county for another part of the year, are taxed in either of said counties and the funds apportioned pro rata. Any stock brought into the state between April 1 and September 1 of each year, and removed from county to which it was brought before the period of one year, is subject to taxation for the year in which it was brought into the state; but all stock brought in between said dates which is left continuously in said county to which it is taken for more than one year is exempt from taxation for the calendar year in which it was so brought into the state. Stock brought into state after September 1, and before December 31, is exempt.

c. Equalization.—The county board of equalization receives the roll from the assessor and settles complaints as to individual assessment. The state board of equalization adjusts inequalities between counties, but may not increase the aggregate value of property in the state more than 10 per cent above the amount returned by the local assessors. There is an annual meeting of the assessors at the state capitol to compare and correct assessments. The duty of the state board is mainly the hearing of complaints, and the county board has been limited in its powers to abating excess valuations in "one or more instances in a given class."

Elaborate procedure is established for the adjustment of grievances. If the assessed valuation exceeds $7,500, an appeal may be carried up to the district court.

2. *Rate—*

The rate for state purposes is determined by the state board of equalization; it is, however, fixed by statute for purposes other than suppressing insurrections, etc., at 4 mills on the dollar, when no lower rate is prescribed. The practice prevails of levying special rates for specific purposes, state institutions, and the like, within the 4 mill limit. In 1912 the levy was as follows: For state purposes (general revenue), $1\frac{17}{20}$ mills; for mute and blind, $\frac{1}{2}$ mill; for university, $\frac{2}{3}$ mill; for agricultural college, $\frac{1}{2}$ mill; for school of mines, $\frac{1}{4}$ mill; for insane asylum, $\frac{1}{4}$ mill; for normal school, $\frac{1}{4}$ mill; for stock inspection, $\frac{1}{10}$ mill; for capitol building and interest on bonds, $\frac{1}{2}$ mill; for interest on funding bonds, series 1910, $\frac{1}{4}$ mill; for sinking fund for registering funding bonds, series 1897, $\frac{2}{10}$ mill; interest on insurrection bonds, $\frac{1}{10}$ mill. Total, $4\frac{1}{10}$ mills. (In 1913, on the assessment based on the true value, the rate was reduced to 1.3 mills.)

3. *Collection—*

Taxes are paid to the county treasurers, who are the tax collectors. No demand is necessary. They are payable in two instalments—one-half on or before the last day of February, and the remainder on or before the last day of July in the year following the assessment. The penalty for delinquency on the first instalment is interest at 1 per cent per month up to August 1, when the penalty on all overdue taxes becomes interest at the rate of 15 per cent per annum. All taxes are a permanent lien on the property upon which they are assessed until paid, and may be collected by distraint and sale.

Each county is held responsible for the full amount of taxes due the state.

All moneys to which the various counties are entitled under the act of Congress of May 23, 1908, in which counties a forest reserve is situated, are to be apportioned by the state to the respective counties, based upon such forest area and in accordance with the so-called agricultural appropriation act of Congress approved May 23, 1908, as follows: Not less than 5 per cent of said sum to be expended for either road or school funds, in the discretion of the board of county commissioners.

B. POLL TAXES.

There is a state poll tax of $1 per annum on each male inhabitant over 21, except active members of the militia and honorably discharged soldiers and sailors of the United States. If not paid prior to August 1, it becomes delinquent and bears interest at the rate of 15 per cent per annum up to December 30, when it may be collected by distraint. It is levied by the county commissioners at the time of making the general tax levy, and is turned over quarterly to the state treasurer to the credit of the military fund.

C. THE INHERITANCE TAX.

All property belonging to a resident of the state, and all property located in the state but belonging to a nonresident at time of death, which shall pass by will or by the intestate laws of the state or which shall be transferred in contemplation of death, is subject to a tax at the following rates:

(1) Passing to the father, mother, husband, wife, child, brother, sister, wife or widow of a son, husband of a daughter, or any child or adopted child, $2 on every $100 of the clear market value of such property, provided that $10,000 of any such estate vesting in the grantee in perpetuity shall be exempt, and that only the amount in excess of $10,000 shall be subject to the tax; (2) passing to an uncle, aunt, niece, nephew, or any lineal descendant of the same, $3 on every $100 of the value of such estate; (3) in all other cases property less than $500 in value is exempt; property valued at $10,000 or less, $3 on each $100; $10,000 to $20,000, $4; $20,000 to $50,000, $5; $50,000 to $500,000, $6; over $500,000, $10. Property passing to the state, county, municipalities, or for the use of public libraries, religious or charitable institutions, schools, and colleges is exempt. Estates for life or years are also exempt.

D. CORPORATION TAXES.

There are no special corporation taxes in Colorado, all being taxed under the general property tax, together with an annual license tax of 2 cents upon each $1,000 of capital stock used in their business in the state. There is provided a penalty of 1 per cent for each six months of delinquency. Insurance companies pay annually, in lieu of the license tax, 2 per cent on the gross amount of premiums received for business done in the state.

E. BUSINESS TAXES, LICENSES, AND FEES.

Every person, company, or corporation selling any malt, vinous, or spirituous liquors shall pay, in addition to the license fee exacted by law or by the ordinance of any municipality, a license fee of $25 per annum in advance for each saloon, restaurant, hotel, club, drug store, liquor store, or other place where any such liquors shall be sold. This fee shall be paid to the state treasurer and enforced by all constables, sheriffs, and police officers. The license may be transferred by paying a fee of $50 to the state treasurer.

Private employment agency, license fee: Cities of 25,000 inhabitants or over, $50 per annum; 5,000 to 25,000, $25; less than 5,000 inhabitants, $10.

Fraternal benefit societies pay an annual license fee of $50 to commissioner of insurance and are exempt from state, county, district, municipal, and school tax, other than taxes on real estate and office equipment; detectives, $100.

Domestic corporations.—Articles of incorporation, $20, where capital stock is less than $50,000; over $50,000, 20 cents on each additional $1,000 of capital stock, and 20 cents on each $1,000 increase of stock; amendment to charter, $5; change in corporate name, $25.

Foreign corporations.—Articles of incorporation, $30, where capital stock is less than $50,000; over $50,000, 30 cents on each additional $1,000, and 30 cents on each $1,000 increase of stock; for filing copy of foreign law, $5; designating agent, $5; payable to secretary of state.

All corporations pay $2.50 for filing and recording corporate seal; $2.50 for certificate of paid-up stock.

For examination and filing annual report.—Ditch and canal companies with capital stock of $50,000 or less, $1; companies organized not for pecuniary profit, $1; corporations having $10,000 capital stock or less, $1; all others, $5. Fraternal and benevolent organizations pay to commissioner of insurance a fee of $5 for filing annual statement; fees of secretary of state same as for organizations not for pecuniary profit.

Insurance companies.—Filing articles of incorporation, $50; preliminary statement, $50; filing charter, $25; annual statement, $50; certificate of authority, $5; to agents, $2; filing any paper, 20 cents per folio; affixing seal or certifying any paper, $1. County mutual protective associations pay following fees to commissioners of insurance: Filing articles of incorporation, $10; certificate of authority, $5; annual statement, $5; agent's license, $2.

Building and loan associations.—Semiannually for filing report, assets $250,000 or less, $10; $250,000 to $500,000, $40; over $500,000, $75; for each paper filed, 25 cents; for seal or certificate of any copy, $1.

Water user's associations.—Articles of incorporation, $20.

Banks.—For examination by the bank commissioner, capital and surplus not more than $25,000, $25; $25,000 to $50,000, $30; $50,000 to $100,000, $40; $100,000 to $200,000, $50; over $200,000, $60. When assets exceed $1,000,000, the bank shall pay an additional fee of 2 cents for each $1,000 in excess of $1,000,000. No bank shall pay for more than four examinations annually.

There are also a number of special funds, which are maintained by fees paid to the various boards of management.

Secretary of state, fees.—Military commission, $2.50; notary public's commission, $5; foreign commission, $5; any other commission or appointment to which the seal of the state is affixed, $2.50; official certificate, $1; administering oath, 50 cents; for filing and recording each certificate of incorporation, not exceeding 5 folios of 100 words, $2.50; for each additional folio, 15 cents; other minor fees.

Foreign railroads pay $100 to secretary of state for filing declaration of intent to extend line into state.

A tunnel commission was provided for in 1911 which receives certain revenue from lease, tolls, etc., for use of tunnel through base of James Peak.

Graduate veterinary examination, $10; license, $5; nongraduate veterinary practitioners, examination and license, $5.

State board of examiners of architects.—Examination, $10; license, $15; license without examination, $25, to be turned into state treasury. Any surplus funds to be turned over to state to create a fund to provide for an advanced course of architectural study in the University of the State of Colorado.

Stock inspection commissioners.—Recording brand for live stock, $1; certified copy of the record, 50 cents; transfer of brand, $1.50. This revenue for "Brand inspection fund;" brand inspection fee, 3 cents per head.

State board of stock inspection to be paid a fee of $5 for license for each stallion or jack; renewal, $2. Money to be placed to credit of 'Stallion fund" to be used in paying premiums, etc., at fairs and horse shows.

Fees and licenses for permit to hunt, fish, etc., range from $1 to 25 cents; revenue to be deposited by game and fish commissioner in the state treasury to credit of "Game cash fund." Oil inspector to be paid one-tenth of 1 per cent per gallon for each gallon inspected. State factory inspector.—Certificate of inspection, $10; steam boiler inspector, fee $5. State engineer collects fees ranging from $1 to 10 cents, for use of "Gauging fund." Board of barber examiners.—Examination, $5; license and renewal, $1. State board of land commissioners to be paid fees ranging from $3 to 50 cents. State board of health may license hospitals and dispensaries upon payment of $1. Embalmer's examination and license, $5; renewal of license, $1; payable to state board of health. Veterinary surgeon.—Examination, $5; certificate, $5. Physician, examination, $25. Dentistry, examination, $25.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the methods of assessment and of equalization are the same for county taxation as for state.

2. *Rate*—

The rate for the counties of each class is determined by the county commissioners within the following limits:

In class 1 the limit for general purposes is 3 mills; in class 2, 6 mills; in class 3, 7½ mills; in class 4, 8½ mills; in class 5, 10½ mills; in class 6, 12 mills; in class 7, 15 mills; in class 8, 16 mills; in class 9, 20 mills; in class 10, 25 mills.

But any county may levy such rate as it may see fit for the erecting, maintaining, repairing, leasing, or renting of county buildings, for roads and bridges, for bonds and interest thereon, for judgment bonds and interest thereon, and for school purposes.

County commissioners are to include in their annual tax levy a levy for schools within the county of at least 2 and not over 5 mills.

For support of paupers county commissioners may levy a 5 mill tax.

3. *Collection*—

County taxes are collected, as are state taxes, by the county treasurers.

B. POLL TAXES.

Counties do not share in the poll taxes.

C AND D. INHERITANCE AND CORPORATION TAXES.

Counties receive no revenue from these sources.

E. BUSINESS TAXES, LICENSES, AND FEES.

The county commissioners are permitted to issue certain licenses for specified occupations and to establish annual fees therefor within prescribed limits, as follows:

Transient dealers, annual, on foot, $15; with bicycle, $25; with one horse, $50; two horses, $75; motor vehicle, $100; in any other way, $125; auctioneers, peddlers, and storekeepers, $5 to $100; hotels, saloons, and grocers selling intoxicating liquors, $300.

Theaters, circuses, and shows where admission fee is charged may be licensed. An annual license of $1,000 is required to conduct sparring exhibitions, which is paid to the municipality or the county where conducted.

Itinerant vendor, annual, on foot, $5; with bicycle, $50; one horse, $100; two or more horses, $150; motor vehicle, $200; any other manner, $250; doing business in any structure, tent, etc., $250 for each such building, etc.; assistant in each county, $25.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the methods of assessment and of equalization are the same for municipal as for state taxation.

2. *Rate*—

The rate is fixed by the city council or board of trustees in cities. In school districts it is certified by the school board of each district to the county commissioners and levied by them as a special school district tax. The same applies to irrigation districts and road districts. In the latter the rate shall not exceed $1 on each $100.

The city council may levy 1½ mills for park purposes. In cities with a population of over 100,000, the council may levy a tax, not exceeding 1 per cent, on each $100 worth of taxable property, for the purpose of creating a firemen's pension fund.

3. *Collection*—

Municipal taxes are collected in the same manner as state and county taxes.

B. POLL TAXES.

Every able-bodied male between the ages of 21 and 50 years shall pay to the treasurer of the board of directors of his district a road tax of $3 (annually), or in lieu thereof perform two days' work, of eight hours each, or eight hours' work with team, on the public highways of his road district. The tax is collected by the district treasurer, who receives 10 per cent commission.

C AND D. INHERITANCE AND CORPORATION TAXES.

Municipalities receive no revenues from inheritance or corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

City councils have power to license, regulate, and tax any or all lawful occupations, business places, amusements or places of amusement, auctioneers, peddlers, bowling alleys, billiard tables, hackmen, porters, cabmen, expressmen, liquor dealers, and employment agencies. Stock and other brokers must obtain licenses.

In all cities the license fee for selling spirituous liquors in quantities less than 1 gallon is to be not under $600; in incorporated towns such license must be not less than $500.

School Revenues.

The school funds are administered through the superintendent of public instruction and the school districts.

The state levies no annual tax for general school purposes, but the proceeds of the permanent school fund (interest on accumulations from the sale of lands) are apportioned among the counties. The counties, however, levy a general tax for school purposes, and special or school district taxes are levied in each district. The "special school tax" is not to exceed 20 mills on the dollar. A large number of fines, penalties, and forfeitures for violation of different laws, including those concerning revenue, courts, penal laws, escheats, dairying, the "bounty act," game laws, those regulating insurance, and others, are paid into the school fund.

High school districts may be created and a tax not to exceed 4 mills may be levied by county commissioners and collected as other taxes. Bonds may also be issued and a special tax levied to pay interest thereon.

A fee of $1 is paid by applicants for examination to teach, the revenue to constitute a state "Normal institute fund."

Revenues of Other Independent Districts.

Upon petition the board of county commissioners may establish drainage districts. The board of directors of each drainage district fixes the amount of assessment annually. The county treasurer collects such assessment as taxes are collected as a part of the tax roll for said year.

Mine drainage districts may be created and a tax on every dollar of the valuation as shown by the assessment roll of the county assessor may be assessed and collected annually. These districts are administered by boards of supervisors.

Irrigation districts may be established and assessments levied on land.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

The following definitions were decided upon: "Credit" includes every claim or demand for money, labor, or other valuable thing, and every annuity or sum of money receivable at stated periods, but does not include pensions from the United States or salaries and payments expected for services to be rendered.

"Intangible property" includes rights, credits, franchises, special privileges, and advantages having value for the purposes of income.

All statutory powers, duties, and privileges heretofore exercised by the state board of equalization are conferred on the Colorado tax commission, and in addition the commission is to exercise all powers of original assessment of all public utility corporations, has jurisdiction over the abatement of taxes, and, in the case of appeal by the assessors when the county commissioners fail to furnish deputies, has authority to provide for other appointments and compensation.

Assessors are required to make a tax schedule in detail of all real and personal property exempt from taxation and also to file a duplicate of the assessment roll with the tax commission, which prescribes the form of the roll.

The office of inheritance tax appraiser was created, a fee of $10 being charged for the examination of estates as to whether subject to said tax or not.

The inheritance tax law was revised as follows:

A tax payable to the state treasurer is imposed upon the transfer of property within the state or of any interest or income therefrom, to any person or persons, institution or corporation, in the following cases:

1. Transfer by will or intestate laws of this state of property within the state, from persons dying seized thereof while a resident of the state.

2. Transfer by will or intestate laws of property within the state when decedent was a nonresident of the state at the time of death.

3. Transfer of property made by a resident, or of property within the state made by a nonresident, by deed, grant, bargain, sale, or gift, made in contemplation of death of the grantor, intended to take effect after such death.

4. When any such person or corporation becomes beneficially entitled in possession or expectancy to any property or income therefrom by any such transfer, whether made before or after the passage of this act.

5. When any person or corporation shall exercise the power of appointment derived from any disposition of property made either before or after the passage of this act, such appointment when made shall be deemed a transfer taxable under the provisions of this act in the same manner as though the property to which such appointment relates belonged absolutely to the donee of such power and had been bequeathed or devised by such donee by will.

6. The tax imposed hereby shall be upon the clear market value.

Exemptions: All transfers of property to the state of Colorado, or to any county, city, town, or other municipality, or for the use of public libraries, for religious or charitable purposes exclusively, or for schools or colleges not for profit: *Provided, however*, That the same be situated within this state, or the property be limited for use within this state.

Property passing to or for the use of any father, mother, husband, wife, child, brother, sister, wife, or widow of the son, or the husband of the daughter, or any adopted child or children, or to any person to whom the deceased had, for not less than 10 years prior to death, stood in the mutually acknowledged relation of parent, or to any lineal descendant of such decedent born in lawful wedlock, is taxed at the rate of 2 per cent on all not in excess of $100,000; in excess of $100,000 and not over $200,000, 3 per cent; in excess of $200,000, 4 per cent. Property to the value of $10,000 received by each of the above-named persons is exempt from this tax.

Property passing to or for the use of any uncle, aunt, niece, or nephew, or any lineal descendant of the same, is taxed at the rate of 3 per cent on all not in excess of $20,000; in excess of $20,000 and not over $50,000, 4 per cent; in excess of $50,000 and not over $100,000, 5 per cent; in excess of $100,000, 6 per cent.

In all other cases the rate is 4 per cent on all not in excess of $10,000; in excess of $10,000 and not over $20,000, 5 per cent; in excess of $20,000 and not over $50,000, 6 per cent; in excess of

$50,000 and not over $100,000, 8 per cent; in excess of $100,000, 10 per cent. Any interest which may be valued at not more than $500 is exempt from this tax.

The tax is a lien upon the property transferred, and the administrators, executors, and trustees shall be liable for such tax until its payment.

All taxes imposed by this act shall be due and payable at the time of the transfer. If such tax is paid within six months from the accruing thereof, a discount of 5 per cent shall be allowed and deducted therefrom. If not paid within one year from the accruing thereof, interest at the rate of 10 per cent shall be charged and collected from the time said tax accrued.

Fees for examination of banks were changed, ranging from $25 for banks with resources of $100,000 or less, to $90 for those with resources of more than $500,000 and less than $1,000,000, and of $90 and 3 cents additional for every $1,000 in excess of $1,000,000, for those with resources of $1,000,000 and over.

Companies engaged in the business of loaning money at more than 12 per cent per annum pay an annual license fee of $50. Commission merchants, annual license fee, $5; embalmers, examination and registration fee, $10; motor vehicles, annual license fee, 20 horsepower and under, $2.50; 21 to 40 horsepower, $5; 40 horsepower and over, $10; motorcycles, $2; chauffeur's license, $1; dealer, $5; one-half of the revenue derived from this source is to be credited to the state road fund, the balance distributed to the counties within which collected.

Optometrists, examination fee, $25; annual registration fee, $5.

The following constitutional amendment was submitted to be voted upon by the people at the general election in November, 1914:

SEC. 15. There shall be a board of equalization for the state, consisting of the governor, state auditor, state treasurer, secretary of state, and attorney general. The duty of the said board of equalization shall be to adjust, equalize, raise or lower the valuation of real and personal property of the several counties of the state, and the valuation of any item or items of the various classes of such property.

There shall be in each county of this state a county board of equalization, consisting of the board of county commissioners of said county. The duty of the county board of equalization shall be to adjust, equalize, raise, or lower the valuation of real and personal property within their respective counties, subject to revision, change, and amendment by the state board of equalization. The state board of equalization and the county board of equalization shall equalize to the end that all taxable property in the state shall be assessed at its full cash value and also perform such other duties as may be prescribed by law: *Provided, however*, That the state board of equalization shall have no power of original assessment.

CONNECTICUT.[1]

Connecticut makes practically an entire separation of state from local taxation.

The state revenues are derived principally from taxes levied in various forms on insurance companies, savings banks, railroads, express companies, nonresident stocks, notes, bonds, and inheritances.

The assessment and collection of taxes on individuals and general property are confined primarily to the town government; the apportionment of public moneys and the fixing of the tax rates are concerns of the school districts, and especially of city governments.

CONSTITUTIONAL PROVISIONS.

There are no constitutional provisions in Connecticut bearing expressly on taxation, or using that term. But the general declarations as to equality of rights, security of person and of property, have been construed by the courts as requiring equality of taxation and as placing certain restrictions on the exercise of the power of taxation.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The town assessors, one elected annually for a term of three years. This law does not affect towns which elect their assessors for three-year terms, nor those whose assessors are appointed under special charter requirements.

(2) The collector of taxes elected at the annual town meeting, usually for one year; in a few cases for two years.

(3) The town board of relief, consisting of not less than two nor more than five members, elected at the annual town meeting.

(4) The state board of equalization, composed of the treasurer, comptroller, and tax commissioner.

(5) The state tax commissioner, appointed by the governor for a term of four years.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

The general property tax is primarily a town tax, but the state may have recourse thereto by vote of the general assembly.

1. *Base*—

In the event that the general assembly should impose a tax upon the general list of the state, the property included and the assessment thereof would be the same as for the town. (See Municipal revenues, A, 1, p. 47.) The general list of the state is made up of the assessment lists of the towns as equalized by the state board of equalization, and upon this list state and county taxes may be imposed.

The state levies a tax on shellfish grounds not included in the territory of any town at the rate of 1½ per cent on the valuation made by the shellfish commissioners, who also collect the tax.

2. *Rate*—

The rate for state purposes is voted by the general assembly. It is the duty of the selectmen to levy the amount of taxes due therefrom upon the town list.

3. *Collection*—

Collection is made by the town collector as for town taxes. If any town fails to pay its portion of the state tax by the 10th day of November, execution is to issue against the estate of its selectmen for the sum due, and if returned unsatisfied, then against the inhabitants of the town, who are to be reimbursed by the town.

[1] This compilation is derived mainly from the following sources:
General Statutes of Connecticut, 1902.
Public Acts to 1913.
Compilation of the Revenue Laws by the tax commissioner, in two parts: Part I, Local revenues, 1912; Part II, State revenues, 1907.
Biennial reports of the tax commissioner.

B. POLL TAXES.

Not used for state or county purposes. (See Municipal Revenues.)

C. THE INHERITANCE TAX.

Property within the state passing by deed, grant, devise, or gift to parents, husband, wife, or lineal descendants or legally adopted child of the deceased person, is taxed 1 per cent of its value in excess of $10,000; property passing to collateral kindred, or strangers to the blood, or to any corporation, voluntary association or society, is taxed 5 per cent of its whole value, if the value exceeds $500, provided that property passing to lineal descendants of any legally adopted child, the wife or widow of a son, whether born in wedlock or adopted, the husband of a daughter, whether born in wedlock or adopted, or the brother or sister of the decedent, shall be exempt to $10,000. All gifts of paintings, pictures, books, engravings, bronzes, curios, bric-a-brac, arms and armor, and collections or articles of beauty or interest made by will to any corporation or institution located in the state for free exhibition and preservation for public benefit, and all gifts made to any corporation or institution which receives state aid are exempt from the payment of any succession tax.

When an estate is bequeathed to near relatives for life with remainder to collateral kindred, etc., 1 per cent is deducted at the beginning and 4 per cent at the termination of the life estate. When the life estate vests in collateral kindred with remainder to direct heirs, 5 per cent is deducted at the beginning and four-fifths is returned to the persons entitled to the remainder at the termination of the life estate.

Shares of stock of all Connecticut corporations, regardless of their physical location, are taxable when held by estates of deceased residents of states which likewise tax shares of stock of their corporations, regardless of location.

All executors and administrators are liable for all succession taxes, with interest at rate of 9 per cent per annum from time when taxes are due. The state treasurer collects the taxes for the use of the state.

D. CORPORATION TAXES.

Corporate property of domestic and foreign corporations, whose stock is not subject to taxation and which are not required to pay a direct tax to the state in lieu of other taxes, is listed for taxation in the towns, as is the property of individuals.

Railroads.—Railroad companies are taxed for state purposes upon the value of their capital stock and net funded indebtedness, as determined by the state board of equalization, on the basis of statement by the company. The stock is valued at its market value, or at a value estimated on the basis of earnings or property used. The bonds and other evidences of indebtedness are valued at par unless they are worth less than par, in which case they are valued at the market value. The value of any bonds or other obligations of the company held in the sinking funds is to be deducted, also the cost of the purchase of property other than its own road, franchises, and its real estate in the state not used for railroad purposes. This valuation is taken as "the measure of value of such railroad, its rights, franchises, and property," and is in lieu of all other taxes, except taxes on real estate not used for railroad purposes, which are deducted from the taxes calculated on the stock and debt valuation. The value of such part of the funded and floating debt as was occasioned by, and of any stock which was issued for, any part of the railroad in another state, or steamboat line in connection with the railroad, is deducted from the valuation. When only part of the railroad lies in the state, the company pays on such proportion of the valuation as the length of its road lying in the state bears to the entire length of road. In fixing the valuation and length of line in the state, any branch in the state which is of less than one-fourth the average value per mile of the trunk line is not included, but is estimated separately at its true and just value and taxed at the rate of 1 per cent thereon. The statute prescribes the rate at 1 per cent upon the above valuation, to be paid by the 25th of November.

Street railways of every description are subject to the same taxation as railroads.

Express companies.—Express companies are required to pay a tax to the state of 5 per cent of the gross receipts within the state for the year preceding the 1st of July. This tax is in lieu of all other taxes upon the property of the company used exclusively in the express business. It is payable by the 20th of October, otherwise there is a forfeiture of $500 to the state, and for nonpayment a forfeiture of double the amount of the tax.

Corporations conducting express business wholly on lines of electric or street railways within the state pay to the state a tax of 2 per cent of the gross receipts for the year preceding. This tax is in lieu of all other taxes upon the property of such companies used exclusively in the express business.

Telegraph and telephone companies.—Telegraph companies are required to pay to the state a tax of 25 cents on each mile of wire operated within the state on July 1. Telephone companies are required to pay to the state a tax of $1.10 on each telephone transmitter (except that companies having one central exchange and 90 per cent of its transmitters located in the same town, shall pay 70 cents on each transmitter), and a further tax of 35 cents on each mile of wire operated within the state on July 1.

These taxes are in lieu of all other taxes upon property used in the business, but any real estate is liable to taxation in the town in which it is situated.

Savings banks.—Savings banks are required to pay to the state an annual franchise tax on the excess of their deposits, exclusive of surplus over $50,000, and over the amount invested in bonds of the state, or any town or city thereof, in aid of the construction of any railroad which is exempt from taxation, and also over the amount invested in stocks of banks, national banks, and trust, insurance, investment, and bridge companies on April 1, 1901, and still held. The rate of tax equals one-fourth of 1 per cent of the amount of its deposits remaining, less the amount of local taxes on real estate in Connecticut. The tax is payable one-half by the 20th of January and one-half by the 20th of July. This tax is in lieu of all other taxes.

Other banks and trust companies having savings departments pay the same tax on all savings deposits as is required of savings banks.

Insurance companies.—Domestic mutual insurance companies (other than life insurance companies) are required to pay to the state a franchise tax of one-fourth of 1 per cent upon the excess of the total amount of premium notes and assets over unpaid losses, real estate, bonds of the state, or any town or city thereof, in aid of the construction of railroads which are exempt by law.

Domestic mutual life insurance companies are required to pay a similar franchise tax of one-fourth of 1 per cent on the total amount of their premium notes, and on the market value of all their other assets, deducting, however, the same amounts as in the case of fire insurance companies above mentioned, and if in part a stock company taxable on the stock, the market value of the assets belonging to the stock department. Taxes are payable by fire insurance companies by the 30th of January and by life insurance companies by the 25th of February, and are in lieu of all other taxes upon assets, except taxes upon real estate or on taxable stock. There is a forfeit of $5,000 for failure to return a statement of assets and of double the amount of the tax for nonpayment within the time limit.

Foreign insurance companies.—Insurance companies of other states doing business in Connecticut are required to pay retaliatory fees and taxes, or the same as are imposed by such other states on Connecticut companies.

Insurance companies organized under the laws of foreign governments and licensed to transact business in the state are required to pay a tax of 2 per cent of the gross amount of premiums received from such business. These taxes are payable by March 1.

Shares of capital stock of every bank, state and national, and trust, insurance, investment, and bridge company is taxed 1 per cent on the market value of said shares on October 1 on the basis of statements by the corporation. The tax is payable before the last day of February by the corporation to the state treasurer. The state remits to the towns in which the stockholders are resident the tax on resident stock, and the towns make the apportionments to taxing districts according to the holdings of their residents. Nonresident national bank stock taxes are remitted to the town in which the bank is located. Taxes on other nonresident stock are kept by the state. The amount of taxes paid by the corporation on its real estate in Connecticut is deducted.

Choses in action, bonds, and notes may be exempted from further taxation by the payment to the state treasurer of a tax of 2 per cent on the face value thereof for five years, or for a greater or less period at the same rate (4 mills per annum), and a certificate is given exempting such choses in action from all taxation in the state during that period.

Corporations and brokers engaged in negotiating choses in action secured by mortgages on real estate situated in other states are required to pay a tax of 1 per cent on the aggregate amount of all such investments made in the state during the preceding year to January 1, deducting the amount of bonds exempted by payment of the 4-mill tax. Corporations pay this tax January 20; brokers, February 20.

E. BUSINESS TAXES, LICENSES, AND FEES.

The following taxes are levied annually unless otherwise stated:

Insurance brokers, $10; itinerant vendors, state fee, $100, local fee, $25; barbers, certificate of registration, $1; insane asylums, $50 first year, $25 per year thereafter; oyster vessels, under 5 tons, $2, each ton over 5 tons, 50 cents; dental license, $25; osteopath, $25; medical registration, $2; pharmacist, $2; hunter's license, resident, $1, nonresident, $10, alien, $15; to operate moving picture machine, $3; aliens and nonresidents to catch lobsters, $15.

Motor vehicles.—For registration of every motorcycle, $2; for each commercial motor vehicle, $5 for first 1,000 pounds of carrying capacity, and $2 for each additional 1,000 pounds or fractional part over 400 pounds; for motor vehicle operated for hire, $10; dealers, $20; dealers in motorcycles, $10; all other motor vehicles, 50 cents for each horsepower; chauffeur's license, $2; for the substitution of the registration of a motor vehicle previously registered, $2; except in case of a liveryman the fee shall be $1 for each substitution; for the substitution of the registration of a motorcycle, 50 cents; for each motor vehicle engine tested on the highways, $1; the receipts are expended for the maintenance of the state highways under the direction of the highway commissioner.

For registration of airships, $5; license to operate, $2; for examination and tests of applicants to operate, not to exceed $25.

Charter fees from corporations.—Fifty cents on every $1,000 of authorized capital stock up to $5,000,000 and 10 cents on every $1,000 in excess of $5,000,000 for all corporations under general laws, but in no case less than $25.

Corporations organized under special laws pay $100 for their charter and a tax of $1 on each $1,000 of capital stock, but in no case less than $50.

For copies of private bills there is a charge of $5 per legal page.

The secretary of state collects: For filing copy of charter of foreign corporation, $10; for filing statement of foreign corporation, $5; certificate of organization of corporation without capital stock, $10; filing and recording documents, 2 pages, $1; each additional page, 50 cents.

Commissioners of pharmacy collect fees for registration of pharmacist, $5; for assistant pharmacist, $3; registration of certificate from another state, $10; for annual renewal of license, $2.

The insurance commissioner collects the following fees from insurance companies: Annual fee, $10; annual reports, $10; for valuation of policies of domestic life insurance companies and secret and fraternal societies, 1 cent for each $1,000 of insurance valued, and 1 cent for each $1,000 of revenue computed on annuities and pure endowments; for valuation of foreign life companies and secret and fraternal societies, same as states impose on like Connecticut companies; filing additional papers, 25 cents; certificate of valuation, organization, or authority, $2; certified copy of license, $2; copy of report or certificate of condition to be filed in any other state, $10; filing copy of charter, $10; certificate of authority, $5; surety companies of other states—for filing charter, $10; for statement preliminary to admission, $10; for annual statement, $10; for license, $10; insurance companies of other countries—for filing copy of charter or deed of settlement, $30; statement preliminary to admission, $20; annual statement, $20; license to company, $50; agent's certificate, $2.

All fines, forfeitures, and penalties belong to the state, unless otherwise disposed of by law, except that fines imposed by a justice of the peace go to the town.

F. THE INCOME TAX.

There is no income tax in Connecticut.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the assessment and equalization are the same for county as for the town taxes.

2. *Rate*—

The county tax is imposed upon the towns in proportion to their assessment lists by the representatives chosen to the general assembly from all the towns in the county and the senators resident in the county at a meeting to be called by the county commissioners. For repairs on a courthouse or jail, not to exceed $600, may be levied by the county commissioners and apportioned among the towns.

3. *Collection*—

Collection of the county tax, as of town taxes, is made by the town. If any town neglects to pay its county tax, the county treasurer may issue execution against the goods and estate of the inhabitants.

B, C, AND D. POLL, INHERITANCE, AND CORPORATION TAXES.

The county does not share in the poll, inheritance, or corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

Ten per cent of the moneys collected by the county commissioners on town liquor licenses is to be paid over to the county for county expenses. The remainder is to be paid to the treasurers of the respective towns, except that in New Haven County 5 per cent is paid into the reserve fund of the police department of the city of New Haven and 5 per cent to the firemen's relief fund of the same city.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

The town is the unit of assessment and taxation, and property assessed for towns includes that of every village, borough, or city embraced within the town limits.

1. *Base*—

a. The property included and exempt.—All property, both real and personal, not expressly exempt, is subject to this tax.

(1) Real estate includes all such property not exempted, as follows: Land and buildings, fisheries, quarries, mines, and ore beds.

(2) Personal property includes all notes, bonds, and stocks not issued by the United States; moneys; credits; choses in action; vessels, except registered and enrolled sailing vessels; barges engaged in trade between this and other states, and registered vessels which are actually engaged in foreign commerce; goods, chattels, and effects, or any interest therein belonging to any resident in this state.

Mortgages secured by real estate in this state are exempt to an amount equal to the assessed value of such real estate. Foreign mortgages are taxable.

Property situated in another state and taxed there need not be listed for taxation in this state, but this provision does not apply to loans by residents to nonresidents, nor to foreign railroad bonds owned by residents. Stocks of foreign corporations are presumed to be taxed in the state in which such corporations are located. Money or property actually invested in merchandising or manufacturing outside the state need not be listed.

The property of certain corporations which pay a direct tax to the state in lieu of other taxes is not subject to the general property tax, and the shares of stock in corporations which are taxed on the corporate property are not taxed to the stockholders individually.

The whole property of every corporation organized under the law of the state whose stock is not liable to taxation, and which is not required to pay a direct tax to the state in lieu of other taxes, and the whole property in the state of foreign corporations is liable to taxation the same as the property of individuals.

So much of the deposits of any savings bank as were invested in the shares of capital stock of any bank, national bank, trust, insurance, investment, and bridge company on April 1, 1901, and still held, are not taxed.

(3) Exemptions in addition to public property are: Buildings or parts thereof occupied as colleges, academies, churches, public schoolhouses, or infirmaries, and land appurtenant to such infirmaries; parsonages to the value of $5,000; real estate of scientific, literary, benevolent, or ecclesiastical societies, or public or charitable institutions; cemeteries; property to the amount of $3,000 of any pensioned soldier, sailor, or marine of the United States disabled in service; the same of blind persons; property to the amount of $1,000 of every resident who has served in the Army, Navy, Marine Corps, or Revenue Marine of the United States in time of war, if honorably discharged, or of the wife of same; property to the amount of $1,000 of the widow or widowed mother of the above, and of pensioned widows, fathers, and mothers of the above; wearing apparel of every person and family, not including watches and jewelry, not exceeding $25; household furniture to the value of $500; farming tools to the value of $200; produce of farms in the hands of the producer, including colts, calves, and lambs; fuel and provisions for the use of the family; swine to the value of $50; poultry to the value of $25, sheep and Angora goats to the value of $100; cash not exceeding $100; private libraries and books not exceeding $200; all public libraries; musical instruments not exceeding $25; all musical instruments in churches; all fire apparatus, with the buildings for the shelter thereof; tools of mechanics to the value of $200; any horse used on parade or in military service by the owner or his son; all fishing apparatus to the value of $200; the stock or property of agricultural societies; stock or securities issued to build a church; all property of any hospital receiving state aid; funds of Grand Army posts used for charitable purposes; bonds of the state of Connecticut, if specially so provided; bonds of towns or cities issued in aid of certain railroads; the funds and estate of Yale University, Sheffield Scientific School, Trinity College, and Wesleyan University, but not real estate, the annual income of which exceeds $6,000; bonds, mortgages, or invested funds of any church or ecclesiastical society not exceeding $10,000, but the total exemption including real estate is not to exceed $20,000 in any one case.

Tree plantations, in land not exceeding $25 per acre, not less than 1,200 trees to the acre, when the trees have grown to an average of 6 feet, are exempt for a period of 20 years. Also, any tract of land of over an acre planted to trees of at least 1,200 to the acre, is exempt for not more than 20 years, as long as such tract is continued as a wood lot.

Land for municipal water supply is exempt when the inhabitants of the town in which the land is situated have the same privileges to use and do so use the water supply upon the same terms as the inhabitants of the municipality supplied.

Bonds, notes, and other choses in action may be exempted from local taxation by payment of the 4-mill tax to the state treasurer.

In the year 1910 and quadrennially thereafter, all property exempt from taxation is to be listed and a value placed upon it by the assessors of the several towns. The tax commission is to publish this report.

b. Assessment.—The town assessment serves for state and county taxes as well. While inhabitants of cities and boroughs are taxed for town purposes, they may also have, under their charters, an independent assessment and tax list for purely municipal purposes. In some cases this local list is made from the grand list of the town in which the borough or city is situated; in some the municipal assessors make new and different lists; in others town and city are consolidated. But in all cases the town assessment, or what corresponds to that, is complete, and the town lists taken together make up the list for state purposes of all the property taxable therein. The town assessment is, with few exceptions, made by the town assessors as of October 1. Each resident of the town must furnish the assessor with a verified list of all his taxable property at its present, true, and actual valuation. If the

taxpayer fails to make out his list, the assessors are to do it for him, adding 10 per cent to the valuation as a penalty. Persons not returning lists may be examined by the assessors, and for refusal to appear may be fined an amount not exceeding $1,000. Nonresident owners of tangible property which is in any one town seven months in the year, are required to file a list of such property, but no penalty is attached for noncompliance with the act. Taxable property is to be assessed at its full and actual market value except certain vessels, which are assessed at a valuation equal to their net earnings for the year preceding, and lands and separate lots, which are to be set in the lists at their average present and actual valuation.

The property of traders and manufacturers, including the average amount of goods on hand during the year, is assessed in the town in which their business is carried on. Merchants are assessed also on accounts receivable.

Indebtedness of a resident of the state to another resident, not secured by mortgage on land in this state, may be deducted from the listed property of the debtor if placed in the list of the creditor. This deduction must be made by the board of relief, and only in case the list was duly given in, and only to the extent of the assessed valuation of the property for which the indebtedness was contracted.

The shares of stock in national banks, trust, insurance, investment, and bridge companies are assessed, as explained above, by the state board of equalization and taxed at the rate of 1 per cent on the market value. The proceeds of this tax are distributed to the towns and by them to the taxing districts, in proportion to the number of shares owned in each town or district, the taxes on nonresident stock accruing to the town where the bank is located.

Except for real estate, the property of railroad, express, telegraph, and telephone companies, and all the property of savings banks and of the savings departments of other banks and trust companies are assessed by the state board of equalization and taxed for state purposes only.

Corporations, domestic and foreign, which do not pay taxes to the state in lieu of other taxation, are assessed on their property as are individuals. Stockholders of a corporation, the whole property of which is assessed in its name, are not to be assessed on their shares.

Water power is assessed as incident to the machinery which is operated by it. When waterworks are located in other towns than where power is used, the land occupied by such plant is assessed to the owner at the average assessed valuation of improved farming land in said town.

Mortgages.—Money loaned on interest, secured by a mortgage on real estate in the state, with an agreement that the borrower shall pay the taxes, is not taxed (on the credit) to the extent of the assessed value of the mortgaged land. But the excess of the loan is taxed where the lender resides; where there is no agreement for the borrower to pay the tax, the credit is assessed only where the real estate is situated. Mortgages on real estate in other states are taxed as personal property to resident holders.

c. Equalization.—The board of relief in each town hears appeals from the valuations of the assessors and equalizes and adjusts the valuations on the assessment list of the town; it may increase valuations and assess persons and property omitted by the assessors. It may also reduce the list and make certain deductions for indebtedness where lists have been duly given in. An appeal lies from the board of relief to the superior court of the county.

The state board of equalization equalizes between the towns to make up the general list of the state.

2. *Rate*—

The amount of taxes to be raised is determined in the annual town meeting, and the selectmen of the town make out rate bills with the proportion which each individual is to pay according to the assessment list. When any town neglects to vote the necessary taxes, its selectmen may make a rate bill for the same.

3. *Collection*—

Town taxes are payable within one year after they are laid and are collected by the town collectors. Collectors may, if necessary, levy on chattels, realty, or attach the body of delinquents. The lien on real estate attaches from October 1 in the year previous to that in which the taxes become due.

B. POLL TAXES.

All males between the ages of 21 and 60 years, excepting as otherwise specially provided by law, are liable to pay a personal tax of $2 for town and state taxes in lieu of a poll and commutation tax. This tax is due and payable annually on March 1, and failure to pay may be punished by imprisonment.

Persons exempt include: Students in colleges and incorporated academies; active members of all fire departments; engineers and members of fire departments, having served five years; honorably discharged field and staff officers or any officer, musician, or private who has performed military duty during the preceding year; honorably discharged members of militia who have served five years, and ex soldiers or sailors of the United States. Mayors and aldermen or selectmen can abate the tax at any time for indigent sick or infirm persons.

C. THE INHERITANCE TAX.

The towns and cities do not share in the inheritance tax.

D. CORPORATION TAXES.

The state remits taxes collected on shares of stock in state and national banks, and trust, insurance, investment, and bridge companies to those towns and to those cities which are consolidated with the town governments in which the owners reside. The state also remits taxes on nonresident stock of national banks to the town in which the bank is located. (See State Revenues, A, D.)

E. BUSINESS TAXES, LICENSES, AND FEES.

The following are collected annually:

Lodging houses, $10; auctioneers, discretionary with town; pawnbrokers, $10 to $50; exhibitions, discretionary with town; junk shops, $2 to $10; itinerant vendors, local license, $25; maternity hospitals, rate to be determined by town; bicycle side paths, 50 cents to $1; dogs—for each male or spayed female, $1, and 25 cents for registration; for each unspayed female, $5, and 25 cents for registration; kennel license, $25 for 10 dogs, $50 for over 10 dogs; license to collect birds for scientific purposes, $1; second-hand stores, $2 to $10; liquor licenses—sale of spirituous liquors, towns of over 3,000 inhabitants, $450; other towns, $250; ale, beer, and wine only, $200; reputable hotels and wholesale grocers, not less than $150; druggists—towns over 5,000, $12; towns less than 5,000, $10; distilled liquors and alcohol, $50.

These taxes are paid to the county commissioners for licenses in towns and cities which vote in favor of such licenses. License fees are paid over to the town with a deduction of 10 per cent for county purposes.

Upon petition of 20 or more legal voters or taxpayers in a town, not residing within the city or borough limits in such town, special districts for fire, sewer, and other purposes may be organized, which have power to levy and collect taxes for specified purposes.

SCHOOL REVENUES.

Towns may form school districts which have power to levy taxes for various school purposes upon the property in the district. Polls are set in the list at $100 each. District taxes are laid on the assessment list of the town as corrected for the purpose by the town assessors. There are no restrictions on the rate of school levy, except in towns including within their limits cities that provide for schools.

The state comptroller distributes from the income of the school fund and other state funds to the town treasurers $2.25 for each child between 4 and 16 years of age.

Certain towns having a valuation of not over $2,500,000 may receive from the state fund a further sum, providing the town expends annually $25 per pupil based on the average attendance.

The "town deposit fund" of money derived from the United States is deposited with the towns and the income applied to public schools.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

Foreign insurance companies were required to pay a tax of 2 per cent of the gross premiums received, less return premiums and cancellations. Nonincome producing buildings and the land upon which they stand, to the value of $1,000, owned by any church or incorporated camp-meeting association were exempted from taxation. Provision was made for the classification and taxation of woodland, and forest plantations formerly exempted were again subjected to taxation. The commercial motor-vehicle license was changed to read "$7 for 1,000 pounds or fractional part, and $3 for each additional thousand pounds or fractional part over 400 pounds." Dealer's license, $50.

The taxation of express, telegraph, cable, telephone, and car companies was placed on a basis of gross earnings, as follows: Express companies, 2 per cent; telegraph, cable, and car companies, 3 per cent; telephone companies, 4 per cent; these taxes to be in lieu of all other taxes upon property used in the business, but any real estate to be assessed and taxed where located.

The rate of taxation of railroads and street railways was raised from 10 to 11 mills for the years 1913 and 1914. The personal or poll tax was declared due and payable on February 1 instead of March 1 of each year.

The inheritance tax was changed to read as follows:

Property passing to a parent, husband, wife, or any legally adopted child or lineal descendant of the decedent is exempt to the extent of $5,000; on all amounts in excess of $5,000 and up to $100,000 the tax is 1 per cent; in excess of $100,000 and up to $300,000, 2 per cent; on all in excess of $300,000, 3 per cent.

Property passing to the wife or widow of a son, the husband of a daughter, or the brother or sister of full or half blood of the decedent is exempt to the extent of $3,000, on all amounts in excess of $3,000 and up to $100,000 the tax is 1 per cent; on all in excess of $100,000, 3 per cent.

All other beneficiaries are exempted up to $500 and taxed 5 per cent on all in excess of $500 and up to $100,000; and 6 per cent on all in excess of $100,000. The tax in all cases is levied on the amounts in excess of the exemptions and not on the whole estate.

In case taxes on mortgaged property have been paid by the mortgagee he is entitled to recover the amount before releasing title.

Fraternal benefit societies pay an annual license of $5 and various fees to the insurance commissioner.

County commissioners were authorized to issue liquor licenses to summer hotels for a period of not exceeding four months from June 1 of any year upon the recommendation of a majority of the legal voters of the town in which situated. Bowling alleys were classified as mercantile establishments and taxed as such.

Special authority was given to cities, towns, and boroughs to provide for sprinkling streets with oil or water and to assess costs to abutting real estate.

The following state licenses and fees were established:

License to bottle water for sale, $10; to practice osteopathy, $2.

Examination fee to practice midwifery, $15; to practice optometry, $10; and issuance of certificate, $5.

Banks and trust companies: For filing list of stockholders, $10; and charter fee of $1 for each $1,000 of authorized capital stock.

DELAWARE.[1]

The state derives its revenues from corporation and inheritance taxes and from fees and licenses on various occupations. There is no state levy on general property.

The counties, cities, and hundreds depend upon the general property, inheritance, and poll taxes. The type of property tax is an old one, including a valuation of ground rentals and an assessment of certain classes of property at statutory values. Many important classes of personal property are exempt.

Delaware has practically complete separation of state and local taxation.

A peculiarity of the revenue laws of Delaware is the existence of special laws providing for the taxation of certain corporations, such as railroads and banks, individually, or commuting their taxes on special terms. These special taxes are quite numerous, so that no attempt has been made to list them all in

[1] This compilation is derived mainly from the following sources: A summary of the revenue and tax laws contained in the State Revenue and Taxation Commission Report of 1909.
The Laws of Delaware, being the session laws down to 1913.

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this compilation. A sufficient number are cited to show their general character and their place in the system.

CONSTITUTIONAL PROVISIONS.

ARTICLE VIII.

SEC. 1. All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws, but the general assembly may by general laws exempt from taxation such property as in the opinion of the general assembly will best promote the public welfare.

SEC. 5. The general assembly shall provide for levying and collecting a capitation tax from every male citizen of the state of the age of 21 years or upward; but such tax to be collected in any county shall be uniform throughout that county, and such capitation tax shall be used exclusively in the county in which it is collected.

SEC. 7. In all assessments of the value of real estate for taxation, the value of the land and the value of the buildings and improvements thereon shall be included. And in all assessments of the rental value of real estate for taxation, the rental value of the land and the rental value of the building and the improvements thereon shall be included. The foregoing provisions of this section shall apply to all assessments of the value of real estate or the rental value thereof for taxation for state, county, hundred, school, municipal, or other public purposes.

ARTICLE IX.

SEC. 6. Shares of the capital stock of corporations created under the laws of this state, when owned by persons or corporations without this state, shall not be subject to taxation by any law now existing or hereafter to be made.

ARTICLE X.

SEC. 3. *Provided*, That * * * all real and personal property used for school purposes, where the tuition is free, shall be exempt from taxation and assessment for public purposes.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The state treasurer, elected for two years, who collects most of the specific taxes.

(2) The clerks of the peace, elected in each county for a term of four years, who collect licenses for the state.

(3) The levy court, composed of commissioners of a varying number in each county, elected usually by the hundreds for a term of four years, supervises the work of assessment.

(4) The assessors, one elected in each hundred for a term of two years. Wilmington hundred has three assessors.

(5) The collectors, one in each hundred, appointed annually by the levy court.

(6) The board of revision of assessments for each district, composed of the assessor and two citizens of the district, appointed annually by the county levy court.

(7) Collector of state revenue, appointed by the governor for a term of four years, to investigate statements as to property subject to taxation filed with clerks of the peace.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

Although the state has apparently not surrendered formally its right to use this tax, it is not used at present. (See County Revenues.)

B. POLL TAXES.

Not used for state purposes. (See County Revenues.)

C. THE INHERITANCE TAX.

All property in excess of $500 in value passing by will, grant, deed, or gift, to take effect at the death of the donor or grantor, other than to the husband or wife or to the lineal descendants or lineal ancestors or adopted child or children of the donor, is subject to the following tax:

If passing to a brother or sister or descendant thereof of decedent, 1 per cent of the value; to a brother or sister or descendant thereof of the father or mother of decedent, 2 per cent of the value; to a brother or sister or descendant thereof of the grandfather or grandmother of decedent, 3 per cent of the value. To all other collateral heirs or strangers of the blood, 5 per cent of the value thereof, except that property passing to or for the use or benefit of or in trust for any charitable, educational, or religious institution, or to cities or towns for public improvements, shall not be subject to this tax. All taxes subject to this provision are for the benefit and use of the state.

This tax is a lien upon the estate until paid and is due and payable within 13 months from the granting of letters testamentary or administrative. There is no provision for any discount for prompt payment or for interest in case of delay.

D. CORPORATION TAXES.

(1) Specific.—The Farmers' Bank, one-fourth of 1 per cent per annum on paid-up capital. The Bank of Delaware, one-fourth of 1 per cent per annum on paid-up capital, and on surplus over 25 per cent of paid-up capital. The Bank of Wilmington and Brandywine, one-fourth of 1 per cent per annum on paid-up capital. The Bank of Smyrna, one-fourth of 1 per cent per annum on paid-up capital. The Union Bank of Delaware, one-fourth of 1 per cent per annum on paid-up capital. The Delaware City Bank, one-fourth of 1 per cent per annum on paid-up capital. The Bank of Milford, one-fourth of 1 per cent per annum on paid-up capital. The Philadelphia, Wilmington & Baltimore Railroad, one-fourth of 1 per cent per annum on paid-up capital.

(2) Railroad and steamboat passenger tax.—Every person, corporation, etc., engaged in carrying passengers by steam power on land or water is required to pay a state tax at the rate of 10 cents per passenger, soldiers and sailors not included. Companies are required to report the number of passengers carried.

This tax was held to be unconstitutional so far as interstate travel was concerned, and with other taxes was commuted as shown below.

The Wilmington City Railway Co. is exempt. All railroads other than the Philadelphia, Wilmington & Baltimore Railroad Co., which is allowed to commute this tax by an annual payment of $13,000, may likewise commute the tax by an annual payment bearing the same ratio to their gross receipts from passenger traffic which $13,000 does to that of the Philadelphia, Wilmington & Baltimore Railroad Co.

(3) Net earnings tax.—All railroads and canal companies, domestic, doing business in Delaware, are required to pay 10 per cent on the net earnings in Delaware, this amount being that proportion of the total net earnings which the mileage in Delaware is of the total mileage.

(4) Railroad companies taxed under (3) pay annually for each locomotive, $100; passenger car, $25; freight car, $10.

(5) Railroad and canal companies taxed under (3) pay an annual tax of one-half of 1 per cent on the actual cash value of every share of capital stock.

The following railroads are allowed to commute all of the above taxes for the following amounts: Maryland, Delaware & Virginia Railway to pay $500; Delaware, Maryland & Virginia Railway, $1,500; Wilmington & Northern Railway, $5,000; Delaware Railway, $25,000; Baltimore & Philadelphia Railway, $30,000; Philadelphia, Wilmington & Baltimore Railway, $50,000. The taxes under (2), (3), (4), and (5) are merely suspended in so far as the above-named railroads are concerned, and the above specific amounts paid in lieu of all state taxes.

(6) Banks, state, national, and savings, and every loan and trust company pay a tax of one-fifth of 1 per cent per annum on their capital stock, surplus, and undivided profits, which is in lieu of all state taxes except franchise taxes.

(7) Insurance companies.—Life insurance companies, 2 per cent per annum on gross premiums less return premiums and reinsurance. All other insurance companies, 1½ per cent on gross premiums. All domestic fire insurance companies, $100 annually. Delaware State Grange Mutual Fire Insurance Co. is exempt. Foreign guarantee and casualty companies, 1½ per cent on premiums. All payable to insurance commissioner for use of state.

(8) Telegraph companies, incorporated before 1899, pay annually 60 cents per mile for the longest wire in the state; 30 cents per mile for the next longest; 20 cents per mile for each other wire in the state.

(9) Telephone companies.—Same as telegraph companies, with an additional tax of 25 cents on each transmitter located in the state.

(10) Production of steam, gas, or electricity for heat, light, or power for sale: Such firms or corporations pay a tax of 1 mill on the dollar on gross receipts of the next year preceding. New companies forming pay $50 for less than a year.

(11) Express companies, incorporated before 1899, 6 per cent of gross earnings in the state, and, in addition, a license fee of $250 annually.

(12) Other companies, annual franchise tax.—Every telegraph, telephone, cable, or electric light company; or company organized for the distribution of electricity, heat, or power; or organized for the purpose of producing or distributing steam, heat, or power; every express company not owned by a railroad company and not otherwise taxed; every company organized for the production, distribution, or sale of gas; every parlor, palace, or sleeping car company; every oil or pipe-line company; every life insurance company; every fire, marine, live stock, casualty, or accident insurance company, except mutual fire insurance companies which do not issue policies on the stock plan, hereafter incorporated under the laws of this state, shall pay an annual tax for the use of the state by way of a license for its corporate franchise. This tax is based on a report made to the secretary of state showing, among other things, the receipts within the state. The rate is 1 per cent of the gross receipts in the state for telephone, telegraph, cable, and express companies; two-fifths of 1 per cent of gross earnings for electric heat companies, etc., together with 4 per cent on all dividends in excess of 4 per cent; three-fifths of 1 per cent of gross earnings for pipe lines; three-fourths of 1 per cent of gross premiums for insurance companies other than life; three-fourths of 1 per cent on surplus of life insurance companies, together with a franchise tax of thirty one-hundredths of 1 per cent on gross premiums; 1½ per cent on gross receipts of parlor car companies.

(13) Domestic mercantile, manufacturing, and miscellaneous corporations organized after March 10, 1899, and doing less than 50 per cent of their business in the state, pay annually a franchise tax, as follows: When the authorized capital is under $25,000, $5; between $25,000 and $100,000, $10; between $100,000 and $300,000, $20; between $300,000 and $500,000, $35; between $500,000 and $1,000,000, $50, and $25 on each $1,000,000 in excess of $1,000,000: *Provided*, That where companies show that they have not engaged in any business, one-half of the above rates are to be charged, but in no case less than $5.

These corporation taxes do not apply to railroad, canal, or banking corporations; purely charitable or educational associations; savings banks; cemetery or religious corporations; manufacturing or mining corporations.

Foreign insurance companies.—These taxes are collected by the state treasurer on the basis of a report filed with the secretary of state. There is also a general retaliatory tax against all foreign corporations.

Manufacturers pay license taxes based on amount of real and personal property used by them. (See Business taxes, licenses, and fees.)

E. BUSINESS TAXES, LICENSES, AND FEES.

(1) Collected generally by the clerks of the peace, for the benefit of the state: Inns and taverns, to sell liquor, less than 1 quart, to be drunk on the premises, $300 in towns of 10,000 or over; under 10,000, $200. Inns or taverns, special, to sell less than 1 quart, to be drunk off the premises, $25 additional. Retailer, to sell liquor, not less than one-half gallon, to be drunk off the premises, $100; to sell not less than 1 quart, to be drunk off the premises, $25 additional; druggists, to sell liquor, not over 1 quart, to be drunk off the premises, $20. Peddlers, on foot, $50, payable quarterly; 1 horse, $50; 2 horses, $75; each additional horse, $25; with vehicle and 1 or 2 horses, $100; each additional horse, $50. Fruit peddlers, with cart and 1 horse, $25; 2 horses, $35; each additional horse, $10. To sell clocks, coffee, or tea, $50 extra. Manufacturers peddling their own goods made in the state, persons selling the produce of their own land, vendors of oysters and fish, and soldiers and sailors of the Civil War are exempt. Peddlers of tin or Japan wares with one or more horses but no cart, $10; one or more horses with cart, $20; nonresident, $100 extra for each county. Most of the licenses for peddlers apply only in Kent and Sussex Counties. Merchants, wholesale or retail, if purchases for the previous year amounted to $1,000 or less, $6; if over $1,000, then 10 cents per $100 extra. Women are exempt if purchases are under $1,000. Merchants, half yearly, $5. Auctioneers, $10 (soldiers and sailors of Civil War exempt from this license); brokers, $100; juggler, $25; conveyancer, $10; if receipts under $100, $5; doctors, including osteopaths, $10; special license for transient doctors, $100 extra; dentists, $20; eating houses, $25; lawyers, $10; photographers, $20; real estate agents, $50; resident owners of stallions and jacks, $10; nonresident, $20; veterinarians, $10; bicycle and tricycle railways and revolving swings, $50; razzle-dazzle, $25, and haunted swings, $20; constable, $5, for three years; nonresident catching clams and terrapins, $50; opening oysters for export where the capital invested is $500, $30; persons buying game for sale, $20; shipping game for profit, except geese and ducks, $500; life insurance companies collecting weekly premiums, $50; distillers of spirituous liquors from grain, fruit, or fruit juices, $500; agents of foreign insurance companies, $25; oyster catchers, $5; in certain places, $20; boats, $2.50 per ton. In certain places, boats, $3.50 per ton, $3.50 for each man tonging. Menhaden fishing boats, $100. To practice optometry, $10; wholesale liquor, $500; liquor merchant, $200; pool table or bowling alley, for first, $15; each additional, $10; retailers (whose principal place of business is outside of state), when cost of goods exceeds $5,000, $10 and 10 cents for every $100 in excess of $5,000; * * * for brewing liquors, 5 cents for every 31 gallons brewed, commencing business, $500 until first day of June next ensuing; manufacturers, $5 and one-half of 1 per cent on statutory value of real and personal property, including machinery; gypsies, $300; sale of deadly weapons, $25; circus (within 2 miles of city having population over 50,000), $300; otherwise, $100; theater or moving picture shows in cities over 50,000, $100; in cities of less than 50,000, $25; amusement park, $500; merry-go-round, and other amusements of like nature, $75; any other amusement for profit, $25; undertakers, $1; to carry concealed weapons, $2.

In New Castle County: Pawnbrokers, $25; junk dealers, $15; Pullman Co. may pay $300 in lieu of manufacturers' license; huck-

sters, on foot, $10; wagon and 1 horse, $15; wagon with more than 1 horse, $25. Foot peddler, $25; wagon and 1 horse, $25; wagon with more than 1 horse, $50.

Secretary of state.—Certificate of incorporation, 10 cents for each $1,000 of capital stock authorized, in no case less than $10; certificate of increase, 10 cents per $1,000 of increase, minimum, $5; consolidation, 10 cents per $1,000 beyond the total authorized capital stock of the corporations consolidated, in no case less than $20; in all cases where the amount of capital stock exceeds $2,000,000, the fee is 5 cents on each $1,000 in excess of $2,000,000; dissolution, change of name, amended certificates or decrease of capital stock, $10; all other certificates, $5; renewal of existence, $20; certificate of incorporation by private act, $20 if capital stock is $50,000 or less, and 20 cents for each additional $1,000; foreign corporations certificate, $50; issuing certificates in private case under great seal, $2; seal of office, $1; for copying, 2 cents per line; receiving, filing, or indexing certificate, decrees, agreements, etc., pertaining to corporations, $2; for appeals for commutation of franchise tax, including filing necessary certificate, $7; for proceedings of reinstatement, $7; for filing certificate of foreign corporations, $10; divorce acts and acts pertaining to the acknowledgment of deeds, $20; for commissions—notary public, $6; justice of the peace, $6; commissioner of deeds, $10; prothonotaries, recorder of deeds, register of wills, clerks of the peace, and sheriffs, $50; clerks of orphans' court, $25; and in addition, $10 for commission as register in chancery; constables appointed by governor, $5; attorney general, $10; registration of motor vehicles, $3 (per year); operator for motor vehicle, $2 (per annum); to practice optometry, registration fee, $1; professional nurse, examination fee, $5; to practice dentistry, examination fee, $20; undertaker's certificate, $5; marriage certificate, $2.

F. THE INCOME TAX.

There is no income tax in Delaware.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All real and personal property not specially exempt is subject to taxation. Ground rents are included. Many important classes of personal property are exempt.

None of these terms, however, are defined for purposes of taxation.

Exemptions, in addition to public property, are: The property of churches, religious societies, colleges, and charitable corporations; provisions necessary for the use and consumption of the owner and his family for a year (not including live stock); farming utensils; the working tools of mechanics or manufacturers; the implements of a person's trade or profession; stock on hand of a manufacturer or tradesman; household furniture other than plate; grain and the produce of land; wearing apparel; ready money; goods, wares, and merchandise imported; and vessels trading from any part of the state; charitable homes for reformed women to the value of $25,000; homes for incurables to the value of $15,000; soldiers' rest rooms; property used for purposes of carrying on settlement work; lands and buildings of incorporated college fraternities to value of $10,000; lands and tenements of Young Women's Christian Association to value of $25,000.

Shares of stock in domestic corporations, which are owned by persons or corporations without the state are, by the constitution exempt from taxation. (See Constitutional provisions, Art. IX.)

Railroad property within the right of way is technically exempt, as railroads are taxed otherwise for state purposes.

b. Assessment.—The assessment is made by the local or "hundred" assessors on information, but they may require statements from the owners of property. Fraudulent returns are subject to a penalty of $40, and refusal to make returns, to a penalty of $10 and the doubling of the assessment. Evasion after assessment is punishable by a fine of $30 and a doubling of the assessment.

The assessment, which is made every fourth year, must be completed by January 1. The last one was in 1909.

Lands and buildings thereon are assessed once every four years at their true value in money. Homes and lots in cities, etc., are assessed on the basis of annual rental at $100 for every $12 rental plus any excess of true value thereover. Rents are assessed by the assessor in each hundred at the rate of $100 for each $8 received and are assessed to the persons receiving the same. Tenants may pay the taxes on rents and deduct the same from rents due.

Personal property is assessed once every four years by the assessors of the hundreds, and the roll is corrected annually to include new arrivals, new acquisitions of property, and persons who have come of age, with corresponding deductions. Silver plate is valued at $1.10 per ounce. In practice but very little personal property is assessed for the general property tax. (See Municipal Revenues.)

An annual assessment is provided for in Wilmington hundred. The assessor is paid by fees allowed by the levy court.

c. Equalization.—The levy court revises and corrects the assessment list and equalizes all assessments.

2. *Rate—*

The levy court shall annually calculate and settle the amount of the road tax, the poor tax, and the county tax and apportion the same among the hundreds at a certain rate per $100 of assessments.

The road tax is payable in money only and can not be commuted.

3. *Collection—*

Taxes are collected by the collectors in each hundred, under warrant of the levy court. They are payable on demand after the second Tuesday in October; and if not paid within 10 days after demand, may be collected by distress and sale of personal property. If the amount of personal property is not sufficient, they revert on real estate and tenements, and if that fail, the individual may be imprisoned.

On all taxes paid before the 1st day of October there is an abatement of 5 per cent; before December 1, 3 per cent. On all taxes unpaid on the 1st day of January, 5 per cent penalty is added.

The collector may recover taxes in an action of debt.

The collector is paid by fees allowed by the levy court, not to exceed 8 per cent of collection.

B. POLL TAXES.

The levy court is to levy a capitation tax on every male citizen of the county 21 years of age or over, such tax to be not more than $1.25 nor less than 25 cents, the same to be uniform throughout the county in which it is levied.

C, D, AND E. THE INHERITANCE TAX, CORPORATION TAXES, AND BUSINESS TAXES, LICENSES, AND FEES.

The inheritance and corporation taxes, as well as most of the business taxes, licenses, and fees, are reserved for the state.

The county receives a fee of $1.50 for each liquor license, of which the clerk of the peace receives one-third.

Clerks of the peace, for issuing any license, charge a maximum fee of 50 cents, which reverts to the county.

Municipal Revenues.

The revenue system of the cities is similar to that for the counties and requires no special description. In many cities, however, horses and mules are subject to a per capita tax. Local laws and customs which authorize this and other special taxes contribute to make the general property tax almost wholly one on realty.

Specified cities are authorized to levy on public utilities franchise taxes at rates specified in the statutes. A city may likewise be authorized to levy certain business taxes and licenses. The statutes authorize special improvements in designated cities to be paid for partly by special assessments levied on the property abutting the improvement.

School Revenues.

The schools are supported by the state school fund, which is made up of money derived from various investments in bank stock, railroad bonds, etc., and an appropriation from the state treasury, as well as by a county levy and by special school district levies. The receipts from tavern and marriage licenses accrue to the school fund.

The school districts may borrow money and levy any tax sufficient to pay interest and provide for a sinking fund to repay the loan.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

Companies operating branch stores, warehouses, or distributing places within the state, which have their principal places of business outside the state, are required to pay for each county an annual license tax of $10, and in addition at the rate of 10 cents for each $100 in excess of $5,000 cost value of goods, merchandise, or other property received for sale.

Manufacturers, except producers of alcoholic liquors, steam, gas, or electricity, and farm products for home consumption, pay for each factory an annual license tax of $5 and $\frac{1}{20}$ of 1 per cent of the gross receipts of the preceding year.

Annual registration fee for motor vehicles changed to $5 and of motor cycles to $3. Hunting license: Resident, $1.10; nonresident, $10.50; fishermen: nonresident, $3.50; fishing boats, $50; law licensing nonresidents to catch clams is repealed; dyers and scourers are required to pay an annual license of $10; laundries, $25; mercantile agenices, $10; menhadden fishing vessels using purse nets, steam, or other power, 125 net tons and less, $100; over 125 tons, $200; sailing vessels, $25; tonnage tax on boats engaged in the oyster business, $3.50 per ton.

Marriage license, $3; certified public accountant: examination fee and certificate, $25.

DISTRICT OF COLUMBIA.[1]

The District of Columbia is a Federal municipal corporation over which the Congress of the United States has supreme legislative control. The executive power is vested in a board of three commissioners, appointed by the President of the United States. Congress has granted to this board power to adopt local police, health, building, and other regulations.

The District derives its revenue from the general property and special corporation taxes, an elaborate system of privilege taxes on various occupations, and also from appropriations by Congress from money of the United States, under the act of June 11, 1878 (20 Stats., 104):

To the extent to which Congress shall approve of said estimates, Congress shall appropriate the amount of 50 per cent thereof; and the remaining 50 per cent of such approved estimates shall be levied and assessed upon the taxable property in the District of Columbia.

[1] This compilation is derived mainly from the following sources:
The Code of Law for the District of Columbia, compiled by Wm. F. Meyers. Washington, Government Printing Office, 1911.
United States Statutes at Large.
Methods of Assessment and Taxation in the District of Columbia, compiled by Dr. William Tindall, 1911.
The Government of the District of Columbia, by Walter Fairleigh Dodd. Washington, John Byrne & Co., 1909.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Assessor of the District, appointed by the commissioners.
(2) Board of assistant assessors, composed of five members, appointed as a permanent board by the commissioners.
(3) Assessors of real estate, composed of three members of the board of assistant assessors, designated by the assessor, for the assessment of real estate.
(4) Board of personal tax appraisers, composed of the assessor and two assistant assessors, designated by the assessor for the assessment of personal property.
(5) Board of equalization and review of real estate assessments, and board of personal tax appeals, composed of the five assistant assessors and the assessor who acts as chairman.
(6) Collector of taxes of the District.

District Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—Property, real and personal, is subject to taxation except as specially exempted. There is no definition of real and personal property for purposes of taxation.

Exemptions in addition to public property are: Churches; institutions of public charity; public libraries; property used for educa-

tional purposes, not for public gain; cemeteries; real and personal property of foreign governments; the Corcoran Art Building; the Soldiers' Home and grounds actually occupied by such buildings; personal property of all library, benevolent, charitable, and scientific institutions, not conducted for private gain; libraries, schoolbooks, wearing apparel, family portraits, household and other belongings to $1,000; also all household effects of persons in public service which are taxed elsewhere. There are also a number of special acts of Congress exempting certain property from taxation.

b. Assessment.—Real estate is assessed triennially, beginning in 1896, at not less than two-thirds of its true value by the assessors of real estate in the name of the owner or trustee of owner thereof. The assessment is to be completed on or before the first Monday of January in each third year and return of the same made to the assessor. Annually the board of real estate assessors list and assess all new property subject to taxation, also improvements of $500 or over, and deduct from the assessment any property damaged or destroyed. The law provides for the numbering of squares and lots for the purpose of assessment and taxation, and imposes upon the commissioners the duty of making such record.

Personal property is assessed annually by the board of personal tax appraisers at its fair cash value. Every person or corporation is required to fill out, under oath, a schedule of personal property. Failure to make returns results in a penalty of 20 per cent of the assessed valuation.

Dealers in general merchandise are assessed on the average stock in trade during the year, and hotel companies and proprietors of hotels on the value of their furniture.

c. Equalization.—Real estate values are equalized by the board of equalization and reviewed in every third year when the assessment is made. After approval by the commissioners, this assessment is the basis of taxation for the ensuing three years.

The board of personal tax appeals annually equalizes the assessment of personal property.

2. *Rate—*

The rate of taxation is uniformly, throughout the District, 1½ per cent on both real and personal property.

3. *Collection—*

Taxes are collected by the collector, after receiving from the assessor the statement of the amount to be collected. All taxes are payable in May of each year, but one-half of the real estate tax may be paid in November. The penalty for delinquency, 1 per cent a month, begins to accrue June 1. Real estate is sold for delinquent taxes under direction of the commissioners. Taxes on personalty unpaid June 1 may be collected by distraint and sale, and also by levy on real property, if goods and chattels are lacking.

B AND C. POLL AND INHERITANCE TAXES.

There are no poll and inheritance taxes.

D. CORPORATION TAXES.

The law provides that all corporations, other than those mentioned below as specifically taxed, shall be taxed 1½ per cent on the assessed valuation of their capital stock, less the value of taxed real estate, which is to be appraised by the board of personal tax appraisers at its fair cash value, but business companies which, by reason of or in addition to incorporation, receive no special franchise or privilege "shall be rated, assessed, and taxed as individuals conducting business in similar lines are rated, assessed, and taxed."

The value of all real estate in the District owned by corporations is deducted from the assessed valuation of the capital stock.

As trustee for their stockholders, national banks, all other incorporated banks, trust, gas, electric lighting and telephone companies are required to make a report annually, on or before August 1, to the personal tax appraisers of their gross earnings for the preceding year ending June 30, and pay per annum gross earnings taxes as follows:

National banks and all other incorporated banks and trust companies, 6 per cent; gas companies, 5 per cent; electric lighting and telephone companies, 4 per cent. The real estate of these companies is also taxed as other real estate in the District. Building associations pay 2 per cent on their gross earnings.

Street railroad companies pay 4 per cent on their gross receipts "and other taxes as provided by existing law," meaning that their real estate shall be taxed, unless expressly exempted. Insurance companies pay 1½ per cent on their premium receipts; fidelity, bonding, and title companies, 1½ per cent on gross receipts; savings banks having no capital stock, 1½ per cent on the amount of surplus and undivided profits; incorporated savings banks, 4 per cent on their gross earnings, less the amount paid as interest to their depositors. The Washington Market Co. is taxed 4 per cent on the gross earnings from conduits authorized by Congress to be laid for refrigerating purposes.

E. BUSINESS TAXES, LICENSES, AND FEES.

Licenses are required for businesses, trades, and professions, and are issued over the hand and official seal of the assessor. The following licenses are annual, unless otherwise specified:

Apothecaries, $6; athletic grounds (baseball, football, golf, polo, race track), $20 per week, $5 per day; auctioneers, $100; automobile establishments, $25 for 10 vehicles or less, $2 for each additional vehicle; automobile drivers, $2; automobile identification tax and registration, $2; balls, concerts, entertainments, $3 per night; private banks or bankers, not incorporated, $500; baths (Turkish, etc.), massage establishments, $25; bill posters, $20; billiard rooms, $12 for each game table; boarding houses, $1 for each room; bowling alleys, boxing and fencing schools, gymnasiums, shooting galleries, $12; brewers and brewers' agents, $250 (after November 1, 1913, this license inoperative, but instead must take wholesale liquor dealers' license); brokers (members of a stock exchange), $100; note brokers, $500; building contractors of all kinds, $25; carriages, omnibuses for hire, $6, drawn by one animal; $9, more than one animal; $9, by other motive power (driver's badge, 50 cents); carriage and wagon establishments, $25; cattle dealers, $15; cigar dealers, confectionery establishments, $12; circuses, $200 per day; employment agencies, $25; clairvoyants, fortune tellers, mediums, palmists, soothsayers, $25; commission merchants, secondhand dealers of all kinds, $40; cook shops, dairy lunches, eating houses, ice cream parlors, oyster houses, restaurants, victualers, $18; dealers in all kinds of markets, $5; distillers or rectifiers, $250 (unenforced); druggists, $6; exhibits (agricultural, art, cattle, floral, food, freaks, industrial, mechanical, museums, poultry, side shows, etc.), entertainment, lecture, exhibition halls, fairs, carnivals, picnic grounds, skating rinks, $100 per annum, $10 for first week, $5 for each subsequent week, $3 per day; explosives, kerosene, $1; florists, $15; fuel hucksters, $5; gasoline, $5; hotels, $1 per room, with a minimum of $30; hucksters, $12 per vehicle; investment and maturity associations, $100; land and improvement companies, $50; laundries, steam or other power, $20; hand laundries, $10; livery stables, $25 for 10 stalls, $2 for each additional stall; liquor dealers, retail, $800; wholesale, $300 (after November 1, 1913, $1,000 and $500; beginning license year 1915, $1,500 and $800); merry-go-rounds, $12 for first week, $10 for each subsequent week, $3 per day; sightseeing passenger transportation lines, $6 for each vehicle not exceeding 10 passengers, $12 for over 10 passengers; pawnbrokers, $100; peddlers, $25; produce dealers, $12 for each vehicle; slot machines, $2 per machine, $50 for unlimited number; theaters, $100 per annum, $20 per week, $10 less than 1 week; undertakers, $25; Washington Stock Exchange (for all members), $500.

A tax of $2 is levied on dogs, the receipts from which are paid into the police relief fund.

The revenue derived from fees is comparatively small, the most important items being municipal court fees, building permits, payments to the surveyor for services, and motor vehicle tags.

F. THE INCOME TAX.

There is no income tax in the District of Columbia.

G. SPECIAL ASSESSMENTS.

No property except that belonging to the United States, the District of Columbia, and property of foreign legations is exempt from assessments for improvements.

For the construction of sidewalks and the improvement of alleys, and for the setting of curbs, abutting property is assessed for one-half of the cost of such work pro rata according to the linear frontage of said property.

For service connections with water mains and sewers the benefited property pays the cost. For laying of water mains the rate is $1.25 per linear front foot of abutting property and for laying of service sewers $1 per linear front foot.

For opening of streets the whole cost is assessed against the property affected if such cost does not exceed the benefit conferred upon the property by the opening of such street. The excess, if any, is to be borne and paid by the District of Columbia. In this payment the half-and-half principle, referred to above, does not apply.

For opening of alleys the whole cost is assessed on the property in the square or block in which the alley is constructed and the property in the squares or blocks confronting such square or block.

Provisions are also made for assessment to pay for removing or securing dangerous structures, removal of insanitary buildings, inclosing dangerous wells, etc., removal of weeds, drainage of lots, and abatement of nuisances.

Street railways are assessed pro rata for crossing policemen and for street paving within or for 2 feet on either side of street railway tracks.

School Revenues.

There are no separate sources of school revenue in the District of Columbia. All school expenses are paid from the general fund.

FLORIDA.[1]

The revenues of Florida are derived principally from general property taxes and a long series of general and special taxes. There are no corporation taxes of importance, and no inheritance or income tax.

CONSTITUTIONAL PROVISIONS.

ARTICLE III.

Sec. 20. The legislature shall not pass special or local laws in any of the following enumerated cases: * * * for assessment and collection of taxes for state and county purposes.

ARTICLE IX.

Sec. 1. The legislature shall provide for a uniform and equal rate of taxation, and shall prescribe such regulations as shall secure a just valuation of all property, both real and personal, excepting such property as may be exempted by law for municipal, educational, literary, scientific, religious, or charitable purposes.

Sec. 2. The legislature shall provide for raising revenue sufficient to defray the expenses of the state for each fiscal year, and also a sufficient sum to pay the principal and interest of the existing indebtedness of the state.

Sec. 3. No tax shall be levied except in pursuance of law.

Sec. 5. The legislature shall authorize the several counties and incorporated cities or towns in the state to assess and impose taxes for county and municipal purposes, and for no other purposes, and all property shall be taxed upon the principles established for state taxation. But the cities and incorporated towns shall make their own assessments for municipal purposes upon the property within their limits. The legislature may also provide for levying a special capitation tax and a tax on licenses. But the capitation tax shall not exceed $1 a year and shall be applied exclusively to common

[1] This compilation is derived mainly from the following sources:
The Revised Statutes of Florida, 1906.
The Session Laws for 1907–09–11.
A compilation of the Laws for the Assessment and Collection of Revenue, etc., by A. C. Croom, comptroller. State Printer, Tallahasee, Fla., 1907.
Guide to License Laws of 1907, prepared by A. C. Croom, comptroller. Capital Publishing Co., Tallahasee, Fla.
License Laws of the State of Florida, 1913, published by W. V. Knott, comptroller.

school purposes. (Art. VI, sec. 8, permits the legislature to make payment of this tax a prerequisite for exercise of the suffrage.)

SEC. 8. No person or corporation shall be relieved by any court from the payment of any tax that may be illegal or illegally or irregularly assessed until he or it shall have paid such proportion of his or its taxes as may be legal, and legally and regularly assessed.

SEC. 9. There shall be exempt from taxation property to the value of $200 to every widow that has a family dependent on her for support, and to every person that has lost a limb or been disabled in war or by misfortune.

ARTICLE XII.

SEC. 6. A special tax of 1 mill on the dollar of all taxable property in the state, in addition to the other means provided, shall be levied and apportioned annually for the support and maintenance of public free schools.

SEC. 8. Each county shall be required to assess and collect annually for the support of public free schools therein, a tax of not less than 3 mills nor more than 7 mills on the dollar of all taxable property in the same.

SEC. 9. The county school fund shall consist, in addition to the tax provided for in section 8 of this article, of the proportion of the interest of the state school fund and of the 1 mill state tax apportioned to the county; the net proceeds of all fines collected under the penal laws of the state within the county; all capitation taxes collected within the county; and shall be disbursed by the county board of public instruction solely for the maintenance and support of public free schools.

SEC. 10. The legislature may provide for the division of any county or counties into convenient school districts; * * * and for the levying and collection of a district school tax, for the exclusive use of public free schools within the district, whenever a majority of the qualified electors thereof that pay a tax on real or personal property shall vote in favor of such levy: *Provided*, That any tax authorized by this section shall not exceed 3 mills on the dollar in any one year on the taxable property of the district.

ARTICLE VIII.

SEC. 7. Provides for division of counties into taxation districts by county commissioners, and the appointment of an assistant assessor of taxes.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The county assessor of taxes, elected for a term of two years.
(2) The county tax collector, elected for a term of two years.
(3) The board of county commissioners, of five members, elected for a term of two years, which reviews and equalizes the assessments.
(4) The county judge, who issues all county licenses under seal of his court.
(5) The state comptroller, attorney general, and treasurer, who constitute a board for the assessment of the operative property of railroads, telegraph, sleeping car, and parlor car companies.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base*—

a. The property included and exempt.—All property, real and personal, in the state, not expressly exempt, is subject to this tax.

(1) "Real property" includes land and buildings, fixtures and improvements.

(2) "Personal property" includes goods and chattels; moneys and effects; all boats and vessels; all debts due or to become due from solvent debtors, whether on account, contract, note, or otherwise; and all public stocks or shares in all incorporated or unincorporated companies.

(3) Exempt besides all public property are: The property of fire companies; the property of literary, educational, benevolent, charitable, and scientific institutions; all houses of public worship, the lots on which they stand, and the furnishings; property of the Young Men's Christian Association; parsonages; burying grounds; public libraries; agricultural societies; and $200 to every widow dependent on her own exertion, and to every person who has lost a limb or been disabled in war or by misfortune. By construction, nonbearing fruit trees are exempt.

b. Assessment.—With the exception of the operative property of railroad, telegraph, sleeping car, and parlor car companies, the assessment is made by the county assessors and their assistants. It refers to the 1st day of January and the roll is to be made up between that date and the 1st day of July. Property in general is assessed where located. The assessor makes up the list on the basis of returns by the owners and "shall require any person to make oath to the correctness of the list." Any person refusing to take such an oath loses the right to a reduction of valuation. The assessor determines the values. Assessment is required to be at "true value."

Railroad companies, including street railroads, telegraph and telephone, and sleeping and parlor car companies, are assessed on their operative property by the comptroller, assisted and advised by the attorney general and the treasurer of the state; on the basis of reports furnished by such companies, the track and other real property used in the business and the rolling stock and the like are assessed as a whole and apportioned to each county and city on a mileage basis.

A peculiarity in the assessment of real estate is that the assessor must begin with the lowest numbered section in each township, or the lowest numbered block or lot in other surveys, and proceed consecutively. Lands which have escaped taxation may be assessed for back taxes for three years.

National bank shares are assessed at the place where the bank is located. The bank is made the agent of the stockholders for the payment of the tax, which may be retained from dividends.

When the timber, or the right to turpentine the same, belongs to a person other than the owner of the land, such timber or privilege shall be assessed separately from the land.

c. Equalization.—The board of county commissioners reviews and revises the assessments and equalizes the assessment of real estate and personal property by raising or lowering the value of any piece of real estate or any item of personal property, but it may not raise or lower the assessment of the county as a whole.

There is no equalization between counties.

2. *Rate*—

It is customary for the legislature to determine the rate and to make a direct levy for each year by statute, specifying the rate for each general purpose. The constitution requires a levy of 1 mill on the dollar of assessed valuation for school purposes. It is also customary to give the governor power to lower the rate if "he discovers from the aggregate assessment and from other sources of revenue" that a reduction is justified.

The chief items recognized by special rates are: For the general fund, usually 2 mills; for the state school fund, fixed by constitution, 1 mill; for the state pension fund, 4 mills; special taxes for the maintenance of drainage and levee systems may be levied against the property benefited thereby.

3. *Collection*—

State, county, and school district taxes, together with any special taxes authorized by the county commissioners, are collected on one roll by the county tax collector. The extensions are made by the assessor.

Taxes are a lien on any property of the taxpayer, and may be collected by distress. They are due on the first Monday in November and become delinquent on the first Monday in April. Taxpayers paying their taxes between November 1 and December 1 are allowed a discount of 2 per cent therefrom; paying between December 1 and January 1, a discount of 1 per cent. When land sold for taxes is redeemed, the person redeeming same shall pay all back taxes thereon.

B. POLL TAXES.

The poll tax is a general tax, but is payable into the county school fund. (See County Revenues, General poll tax.)

C. THE INHERITANCE TAX.

There is no inheritance tax.

D. CORPORATION TAXES.

In general, in matters of taxation, corporations are not treated differently from individuals; they pay their general property taxes and licenses.

The following are the only cases analogous to corporation taxes:

Railroads pay an annual license tax of $10 for every mile of railroad tracks in the state; one-half to be paid into the state treasury and one-half to be distributed by the comptroller to the various counties in which the railroads are located in proportion to mileage in each county.

Insurance companies of all kinds pay a tax of 2 per cent upon the gross amount of receipts of premiums from policy holders in the state.

Sleeping car companies are taxed upon their gross receipts in the state at the rate of $1.50 on each $100. The Southern Express Co. pays a special tax of $2,500 per annum.

E. BUSINESS TAXES, LICENSES, AND FEES.

Auctioneers—in cities of 10,000 inhabitants or more, $25; 5,000 to 10,000, $10; less than 5,000, $5. Abstractors of titles—individuals, in counties of 5,000 inhabitants or less, $10; in counties of more than 5,000, $15; corporations—in counties of 3,000 inhabitants or more, $25. Agents—for bicycles and typewriters, $10; for building and loan associations, local, $10; for foreign building and loan associations, $200; for claims and collections, $10; for clothiers, $10; for monuments and tombstones, local, $5; for monuments and tombstones, traveling, $15; for real estate, $10; for safes, $25; for sewing machines, in each county, $10; for steamships, $25; for sailing vessels, $10.

Analytical chemists, $10; merry-go-rounds, roller coasters, etc., $50; architects, $25; temporary auction shops, $1,000; brokers, stocks and bonds, $25; brokers, "futures," $100; insurance brokers, $10; other brokers, $10; chiropodists, $10; civil engineers, $10. Clairvoyants, palmists, etc., $100. Commissioner of deeds of other states, $5; commission merchants, $10; dealers in cash registers, $20; cigars, $5; curio dealers, $5; dealers in dynamite, $50; dealers in fresh meats, in counties of 10,000 inhabitants or more, $100; less than 10,000, $50; dealers in furniture, sold on instalment, in cities of over 10,000 inhabitants, $50; less than 10,000, $10; dealers in gasoline, wholesale, $10; automobiles, $25; oils, wholesale, $25; garages, $25; junk dealers, $50. Dealers in spirituous, vinous, or malt liquors, $1,000 in each county for each place of business (one-half to county, one-half to state). Distillers of spirituous and brewers of malt liquors, $500. Clubs selling spirituous, vinous, or malt liquors, less than 75 members, $100; 75 to 100 members, $150. Dealers in oleomargarine or butterine, wholesale, original packages only, $20; dealers in pistols, bowie knives, etc., $50; secondhand clothing dealers, $25 for each place of business; secondhand boots and shoes, $10.

Dentists, $10. Distillers and manufacturers of turpentine and rosin, on each still with a capacity of 16 barrels or less, $20; 16 to 20 barrels, $35; 20 to 25 barrels, $45; over 25 barrels, $65. Drovers, $10 in each county; dealers in electrical machinery or supplies, in towns of more than 5,000 inhabitants, $10 for each place of business; under 5,000, $5. Green grocers, $3; professional hypnotists, $100; hawkers or street venders of medicine, $100 a day; lawyers, $10; merchants, storekeepers, and druggists, for each $1,000 or fraction thereof of stock, $3 in each county and for each place of business. Mental healers, $200; oculists, $10; oculists, traveling, $15; opticians, $5; opticians, traveling, $15; osteopaths, $10; pawnbrokers, for each place of business, $100; ferrying passengers or freight, in cities of over 10,000 inhabitants, $100; less than 10,000, $25. Peddlers of merchandise, $100; peddlers of stoves, ranges, and clocks, sold from wagons, $50 for each county; peddling from boats less than 40 feet long, $10; more than 40 feet long, $30. Phosphate plants, with a daily capacity of not more than 20 tons $10; 20 to 35 tons, $15; 35 to 50 tons, $25; 50 to 65 tons, $40; more than 65 tons, $75. Piano tuners, $3 in each county; photographers, $5; itinerant photographers, $10; sellers of patent rights, $25; ship brokers, $10; stevedores, cities of over 5,000 inhabitants, $15; less than 5,000 inhabitants, $5; street doctors, dentists, or itinerant vendors of drugs, $50; undertakers, in cities of 5,000 inhabitants or more, $25; less than 5,000, $15; undertakers and embalmers, in cities of 5,000 inhabitants or more, $75; less than 5,000, $15. Watchmakers and repairers of jewelry, $5. Steam bakers, $10; other bakers, $3; bankers—capital stock of $1,000,000 or more, $300; $500,000 to $1,000,000, $200; $250,000 to $500,000, $150; $100,000 to $250,000, $50; $50,000 to $100,000, $25; $10,000 to $50,000, $15. Barber shops, one chair, $2; for each additional chair, 50 cents; billiard or pool tables, connected with a barroom, $50 for each table; outside of a barroom, $15. Boarding houses and hotels—accommodations for 300 or more lodgers, $200; 200 to 300 lodgers, $150; 100 to 200 lodgers, $100; 75 to 100, $50; 50 to 75, $25; 25 to 50, $15; 15 to 25, $10; 10 to 15, $5. Machine shops, $15. Bottling works and soda-water factories, in cities of 10,000 inhabitants or more, $30; 5,000 to 10,000, $20; less than 5,000, $10. Brickyards or factories, $10; building and loan associations, foreign, $500; building and loan associations, local, $25; carriage and wagon factories, $3; carriage repositories, $10; cold storage plants, $10; concert halls, pleasure parks, or roof gardens, where liquors are sold, $50; cottonseed-oil mills, $100; electric power plants—capital stock of $200,000 or more, $200; $100,000 to $200,000, $100; $50,000 to $100,000, $50; $25,000 to $50,000 $25; $10,000 to $25,000, $15; less than $10,000, $7.50. Express companies, $7,500 in lieu of state and county license taxes. Foundries, $10. Foreign corporation shipping fish, $200 for each place of business; domestic corporation shipping fish out of state, $5 for each

place of business. Ice factories, capacity of 10 tons per day or less, $10; 10 to 20 tons per day, $15; 20 to 30 tons, $25; 30 to 60 tons, $50; 60 to 100 tons, $50; 100 to 150 tons, $100; more than 150 tons, $200. Insurance companies, $200; plate-glass insurance companies, $50; traveling insurance agents, $25; insurance adjuster, $10; insurance rate-makers traveling in the state, $25; job printing offices, $5; launches for hire or public use, $5; laundries, steam, $10; Chinese, $10; money lenders, cities of 3,000 inhabitants or more, $200; livery stables, not more than 5 horses and mules, $5; 5 to 10 horses and mules, $7.50; 10 to 20, $12.50; 20 to 25, $20; more than 25, $40. Lunch stands at railroad depots, in towns of 20,000 inhabitants or more, $50; 10,000 to 20,000, $25; 5,000 to 10,000, $15; less than 5,000, $5; machine and repair shops, for public use, $10. Lung testers, striking machines, etc., $5 each; penny arcades, 15 or more machines, $25. Manufactories—of barrels, $25; turpentine barrels, for each factory, $25; candy, $5; of vegetable crates or fruit crates, $15; of sash doors, $25; cigars or tobacco, capital of $10,000 to $20,000, $10; $20,000 to $40,000, $15; $40,000 to $60,000, $20; over $60,000, $30; manufactories of fiber, $10; furniture, $5; harness and saddlery, $5; terra cotta, $5; marble yards, $10. Mercantile agencies, $100; messenger service system in cities of over 10,000 inhabitants, $50; moss factories, $10; news companies, $50; news agent, on trains, $5. Naval stores, capital stock of not less than $2,000,000, $400; $1,000,000 to $2,000,000, $200; less than $1,000,000, $150. Planing mills and novelty works, $15; planing mills not connected with sawmills, $10; restaurants, accommodations for seating 25 or more persons, $25; less than 25, $10; sawmills, daily output of 10,000 feet or less, $5; 10,000 to 25,000 feet, $10; 25,000 to 50,000, $20; more than 50,000, $30; shingle mills, daily capacity of 25,000 shingles or more $25; less than 25,000 shingles, $5. Shipyards, marine railways, or dry docks, $25; in counties of less than 10,000 inhabitants, $10. Slaughter pens, $15; in counties less than 10,000, $5; shooting galleries, $5. Shows or circuses in tents, in cities of 10,000 inhabitants or more, $100; 5,000 to 10,000, $50; less than 5,000, $25; dog and pony shows, admission less than 25 cents, $10; admission 25 cents, $30; skating rinks, $10; in towns of less than 5,000 inhabitants, $5; sleeping and parlor cars, $25 for each car; with buffet, $40 for each car; dining cars, $20 each. Street shows, carnivals, $5 a day; other small shows, $5. Steamboats or steam ferries, $50; soda or mineral fountains, $10; telegraph systems, 50 cents per mile (one-half to state, one-half to county); telephone systems, 12½ cents for each instrument, but not to exceed $200; theater buildings, in cities of 20,000 inhabitants or more, $200; 15,000 to 20,000, $150; 10,000 to 15,000, $100; 5,000 to 10,000, $50; 2,000 to 5,000, $25; less than 2,000, $10; theatrical shows, for each performance in cities of 10,000 inhabitants or more, $25; less than 10,000, $15; or in cities of 20,000 inhabitants or more, $200 per annum; in cities of 15,000 to 20,000, $150; 10,000 to 15,000, $100; 5,000 to 10,000, $50; less than 5,000, $10 per annum. Traveling picture agents, $10 in each county; traveling dealers, $50 in each county; trading stamp firms, $1,000 in each county where they transact any business; merchants using trading stamps, $250 for each place of business. Water companies, in cities of less than 2,500 inhabitants, $50; 2,500 to 5,000, $75; 5,000 to 10,000, $100; above 10,000, $150. Gas and electric light plants, capital of $250,000 or more, $150; $100,000 to $250,000, $100; $50,000 to $100,000, $75; $25,000 to $50,000, $50; $10,000 to $25,000, $20; less than $10,000, $10. Nonresident fishermen, $10 per annum; nonresident fish dealers, $300 per annum. To sell oriental or fancy goods at auction, $500; cotton and oil mills with capacity of 10 tons per day, $20; more than 10 tons and less than 25 tons per day, $40; more than 25 tons per day, $100.

Ex-Confederate soldiers whose property does not exceed $500 are exempt from paying license tax to peddle.

All license taxes are collected by the county tax collector; blanks are issued through and under seal of the county judge, who practically audits the collections. The tax collector is paid by fees (see State revenues, collection, above).

Charters of corporations, $2 per $1,000 of capital, minimum $5, maximum $250; certificate, under seal, $1. Special fee for corporations, $1.

For examination of statements required to be returned by life insurance companies, and the issuance of certificate relating thereto, $5. A so-called commission tax is collected by the state treasurer from all officials who by law are required to give bond. This tax must be paid before any such official can enter upon the duties of his office. The commission tax is collected from officers as follows: Chief justice, $75; associate justice, $70; circuit judge, $60; cabinet officer, $50; state attorney, $30; clerk of circuit court, $10; sheriff, $10; assessor of taxes, $5; collector of revenue, $5; all other officers, $1.

All persons or corporations engaged in the manufacture or sale of fertilizers or commercial manure are to pay the state treasurer, through the inspector of fertilizers, an inspection tax or fee of 25 cents per ton.

Trust companies.—For charter, $2 for each $1,000 of capital stock, but in no case less than $100. For increase of capital stock $2 for each $1,000, in no case less than $20. Trust companies are also required to pay the state an annual fee of $20 for filing reports.

Examination fee, dentistry, $20; osteopathy, $25; optometry, $10; pharmacy, $15; certificate, dentistry, $5; optometry, $5; pharmacy, $1.

F. THE INCOME TAX.

There is no income tax in Florida.

G. SPECIAL ASSESSMENTS.

The board of drainage commissioners, consisting of the state comptroller, treasurer, attorney general, and commissioner of agriculture, are empowered to establish such systems of canals, drains, levees, dikes, and reservoirs, as is deemed advisable to drain and reclaim the swamp and overflowed lands of the state. The board is further empowered to levy an acreage tax not exceeding 10 cents per acre per annum on such overflowed or swamp lands to meet the costs of the construction of such drains, ditches, etc. This acreage tax is collected in the same manner as the general property tax and turned over by the county collectors to the board of drainage commissioners.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the method of assessment and of equalization are the same for county as for state purposes.

2. *Rate—*

The rate is determined by the county commissioners, who are authorized by the regular tax levy law passed at each session.

The usual limit is 5 mills on the dollar for county purposes, but a tax of not less than 3 nor more than 7 mills shall be levied for school purposes, not more than 4 mills for outstanding indebtedness, and not more than 8 mills for road and bridge purposes.

3. *Collection—*

Collection is made by the county tax collector in essentially the same manner as of state taxes. The collector is allowed the same commisssions as on state taxes.

B. POLL TAXES.

Every male over 21 and under 55 years of age, except those who have lost a limb in battle, is liable to a poll tax of $1. It is collected by the tax collector for school purposes.

There is also a road poll tax in each county on all able-bodied persons over 21 and under 45 years of age, resident in the county over 30 days, except ministers of the gospel in charge of congregations. This tax is payable in labor, the rate being not over 8 days in each year and not more than 3 days in any one week. This tax may be paid by substitute labor, or commuted at the rate of $1 per day. Persons residing in incorporated municipalities are not subject to this tax.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no inheritance or special corporation taxes levied by the counties.

E. BUSINESS TAXES, LICENSES, AND FEES.

Counties may impose license taxes on the same subjects as are so taxed by the state, but such license taxes may not exceed 50 per cent of the amount levied by the state.

Automobiles and other motor vehicles for hire, 10 horsepower or less, $5; 11 to 29 horsepower, $10; 30 to 40 horsepower, $20; 41 to 50 horsepower, $30; 51 to 60 horsepower, $50; 61 to 70 horsepower, $70; 71 horsepower and over, $100; automobiles used by owner thereof without charge, 10 horsepower or less, $3; 11 to 29 horsepower, $5; 30 to 40 horsepower, $10; 41 to 50 horsepower, $15; 51 to 60 horsepower, $25; 61 to 70 horsepower, $35; 71 horsepower and over, $50; 25 cents shall be added to each county license as the county judge's fee. The license year begins October 1. Fractional licenses may be issued after April 1 at one-half price. License money goes to the road fund.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

Cities make their own assessment of property for taxation, but the valuation must not exceed the last valuation thereof for state taxation.

2. *Rate—*

The rate is fixed by the municipal authorities, but may not exceed 1 per cent on the state valuation except for debt charges and special purposes.

3. *Collection—*

Essentially the same as for state taxes.

B, C, AND D. POLL, INHERITANCE, AND CORPORATION TAXES.

There are no poll, inheritance, or special corporation taxes levied by the municipalities.

E. BUSINESS TAXES, LICENSES, AND FEES.

Municipalities may in general levy license taxes on the same class of subjects as are taxed in this way by the state, but the rate shall not exceed 50 per cent of the state rates.

Cities and towns may impose on any railroad within such cities and towns a license tax not to exceed the following rates: Municipalities of 20,000 inhabitants or more, $250; 15,000 to 20,000, $150; 10,000 to 15,000, $100; 5,000 to 10,000, $75; 3,000 to 5,000, $50; 1,000 to 3,000, $25; 500 to 1,000, $15; less than 500, $10; street railways, suburban and interurban, propelled by electricity or gas, in cities having a population of less than 20,000, $7.50 per mile; 20,000 population or more, $15 per mile.

Cities and towns may impose a license tax on express companies not to exceed the following rates: In cities of 20,000 inhabitants or more, $200; 15,000 to 20,000, $100; 10,000 to 15,000, $75; 5,000 to 10,000, $50; 3,000 to 5,000, $37.50; 1,000 to 3,000, $25; 500 to 1,000, $12.50; 250 to 500, $6.

School Revenues.

Each county levies for its school fund not less than 3 nor more than 7 mills on the dollar and, by a vote of the people, a special school tax not to exceed 3 mills on the dollar may be levied in school districts.

The state school fund consists of the principal derived from the sale of lands, the interest on which is paid to the support of schools.

All fines and forfeitures and all poll taxes are paid into the county school fund. There is, besides, a special constitutional tax of 1 mill levied for the support of schools.

Legislation Affecting Revenue Laws: 1913.

The legislature of 1913 provided for a state tax commission of three persons, to be appointed by the governor for a term of four years. This commission is to have general supervision over all other tax officers and tax administration.

Numerous changes in business taxes and licenses were made.

Examination fee for all state banks, savings banks, and trust companies is based upon the capital stock as follows: Capital stock of less than $25,000, $15; $25,000 and less than $50,000, $20; $50,000 and less than $100,000, $25; $100,000 and less than $500,000, $50; $500,000 or more, $75.

Nurses are required to pass an examination and to be registered, the fee for examination and registration being $5.

An act was passed to encourage, protect, regulate, and develop the shellfish industry within the jurisdiction of the state. A shellfish commissioner was appointed and certain license fees and privilege taxes to be collected by him were provided for.

GEORGIA.[1]

The revenue system of Georgia is, like the revenue systems of other Southern states, one which combines a general property tax with a series of license taxes, but, unlike some of the other Southern states, the system of license taxes is not very extensive.

The Georgia general assembly regularly passes many special and local acts relating to the municipalities, etc., and the provisions of these laws often modify materially the operation of the general laws, so far as

[1] This compilation is derived mainly from the following sources:
The Code of the State of Georgia, adopted Dec. 15, 1895, in three volumes:
Van Epp's Supplement to the Code of the State of Georgia, 1901.
The Code of the State of Georgia, adopted Aug. 15, 1910. Special Instructions to the Tax Collectors of Georgia for the year 1914.
The Session Laws each year to 1913.

the localities affected are concerned. The provisions of these laws are so heterogeneous that they could not be compiled within a reasonable space.

CONSTITUTIONAL PROVISIONS.

ARTICLE IV.

SEC. 1. Par. 1. The right of taxation is a sovereign right, inalienable, indestructible, is the life of the state, and rightfully belongs to the people in all republican governments, and neither the general assembly nor any nor all other departments of the government established by this constitution shall ever have the authority to irrevocably give, grant, limit, or restrain this right; and all laws, grants, contracts, and all other acts whatsoever by said government or any department thereof to effect any of these purposes shall be, and are hereby, declared to be null and void for every purpose whatsoever, and said right of taxation shall always be under the complete control of, and revocable by, the state, notwithstanding any gift, grant, or contract whatsoever by the general assembly.

ARTICLE VII.

SEC. 1. Par. 1. (Enumerates the purposes for which alone the general assembly may exercise the powers of taxation.)

Par. 2. The levy of taxes on property for any one year by the general assembly for all purposes, except to provide for repelling invasion, suppressing insurrection, or defending the state in time of war, shall not exceed 5 mills on each dollar of the value of the property taxable in the state.

SEC. 2. Par. 1. All taxation shall be uniform upon the same class of subjects, and ad valorem on all property subject to be taxed within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws. The general assembly may, however, impose a tax upon such domestic animals as, from their nature and habits, are destructive of property.

Par. 2. The general assembly may by law exempt from taxation all public property; all places of religious worship or burial; all institutions of purely public charity; all buildings erected for and used as a college, incorporated academy, or other seminary of learning; the real and personal estate of any public library, and that of any other literary association used by or connected with such library; all books and philosophical apparatus; and all paintings and statuary of any company or association kept in a public hall and not held as merchandise or for purposes of sale or gain: *Provided*, That the property so exempted be not used for purposes of private or corporate profit or income.

Par. 3. No poll tax shall be levied except for educational purposes, and such tax shall not exceed $1 annually upon each poll.

Par. 4. All laws exempting property from taxation, other than the property herein enumerated, shall be void.

Par. 5. The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the state shall be a party.

SEC. 6. Par. 2. The general assembly shall not have power to delegate to any county the right to levy a tax for any purpose, except for educational purposes in instructing children in the elementary branches of an English education only; to build and repair the public buildings and bridges; to maintain and support prisoners; to pay juries and coroners, and for litigation, quarantine, roads, and expenses of courts; to support paupers, and pay debts heretofore existing, to pay the county police, and to provide for necessary sanitation.

ARTICLE VIII.

SEC. 4. Par. 1. (The general assembly may authorize a county school tax.)

OFFICERS.

The officers most directly concerned with taxation are:

(1) The "tax receivers" or "receivers of returns of taxable property," elected biennially, one in each county. (This officer corresponds to the assessor of other states.)
(2) The tax assessors in cities, three in number.
(3) The tax collectors, elected biennially, one in each county.
(4) The ordinary of each county, who acts as auditor.
(5) The comptroller general, elected for two years.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base*—

a. The property included and exempt.—All real and personal property, whether owned by individuals or corporations, resident or nonresident, is liable to taxation.

Real property and personal property are not specially defined for purposes of taxation, and the general definitions prevail. Interest in land less than fee is regarded as real estate.

There are no special provisions defining the classes of property subject to taxation.

Mortgages are taxed as personal property. Promissory notes, accounts, judgments, mortgages, liens of all kinds, and all choses in action are to be given in at their value whether solvent or partially solvent.

For exemptions, see constitution, Art. VII, sec. 2, par. 2, quoted above.

b. Assessment.—In general, the taxpayer is required to furnish a sworn statement of his property and its valuation to the tax receiver. The tax receiver, however, may fix a different valuation, which is required to be at "the fair market value," i. e., the amount which the property and subjects would bring, not at a forced sale, but "when sold in such manner as such property and subjects are usually sold."

Immediately after the 1st day of March of each year the governor, comptroller general, and state treasurer shall fix a day between January 1 and April 1 of the following year as the day for making returns, the day not to be fixed until March 1 of each year.

On all property hereinafter referred to as valued for taxation by the comptroller general the valuation refers to the 1st day of January and is returnable by the 1st day of March each year. Persons who fail to make lists are penalized by double taxation, while defaulting corporations are subject to heavy fines.

The receiver of tax returns makes up from the lists furnished by the taxpayers a digest in triplicate, one copy going to the comptroller general, one to the ordinary of the county, and one to the tax collector. Tax receivers are compensated by fees at the rate of one-half those paid to the tax collector.

Back taxes not assessed or collected in previous years may be assessed and collected in any year by comptroller general.

Domestic fire and life insurance companies doing business on legal reserve plan, are required to return for taxation all their real estate as other real estate is returned, and all the personal property, the latter to be ascertained by deducting from the total value of the assets held by the company, both real and personal, the assessed value of all real estate owned by the company in the state, the nontaxable bonds deposited with state treasurer, and amount of the reserve or net value of its policies required by law to be held by the company.

Property of all public utility companies is assessed by the comptroller general. Railroads operating in more than one state are assessed on that proportion of their rolling stock which the mileage in Georgia bears to the total mileage. That is, the unit rule is applied to rolling stock only. The fixed property in each county is assessed where located, and the rolling stock is assessed as a whole and apportioned among the counties in proportion to the value of the fixed property in each. Special franchises of public service corporations are assessed by the comptroller general and the assessment is apportioned to the localities in which the property is located.

Property returned to the comptroller general and consisting mainly of public service corporation property shall be returned not later than the 1st day of March; the valuations relate to January 1 of that year and shall be paid on or before the 1st day of September of the same year.

Express, telephone, and telegraph companies are also assessed upon their property, including the franchise, by the comptroller general.

Sleeping car companies, etc., are assessed upon their cars, the number assessable in Georgia being determined by the unit rule on basis of mileage.

Other railroad equipment companies are taxed as are sleeping car companies.

Banks are not assessed upon their capital, but the shares of stock are assessed to the owners in the county where the bank is located. The shares are valued for taxation at their "full market value" less the value (if clear) or the equity (if mortgaged) of the bank's real estate.

The president, or other official of manufacturing companies, other than those required to make return of their franchise to the comptroller general, shall return for taxation at its true market value all real estate to the tax receiver of the county wherein real estate is located; if in two or more counties the return is to be made to the tax receiver in the county where the main building containing the machinery, or most of the main buildings are located; such enterprises conducted on nontaxable property, return for taxation the stock of merchandise, raw material, machinery, live stock, with other personalty and manufactured goods, notes and accounts, money in hand, in the county in which is taxable the realty whereon such business enterprises are located; agents of foreign enterprises to make return of all stock of merchandise on hand, money, accounts, etc., to the tax receiver where the same may be, to be taxed for state and county purposes, as other property in the state is taxed, the word "merchandise" being held to include guano and commercial fertilizer. All canal and stock water navigation companies shall make through their respective executive officers or stockholders in possession of the same returns to the tax receiver of each county in which the same is located, or through which the same shall pass, in whole or in part, of the right of way, locks and dams, toll houses, structures, and all other real estate owned or used by such company or stockholders thereof.

c. Equalization.—There is no equalization properly so called. Whenever there is a disagreement between the tax receiver and the tax payer as to the valuation of property, each appoints an arbitrator who may, in case of disagreement, select an umpire. The award of the arbitrators is final. The same procedure applies in case of corporations making returns to the comptroller general.

2. *Rate*—

The legislature occasionally passes a general tax act for succeeding years authorizing the governor with the assistance of the comptroller general to levy such a tax as is necessary to meet the appropriation of the legislature for the succeeding years and to raise in addition a specified sum for a sinking fund required by the constitution of the state.

The amount to be raised for the sinking fund has been $100,000 annually since 1910. The rate of taxation for all purposes as fixed for 1912 was 5 mills.

The state, although it appropriates for school purposes about one-half of the taxes collected, does not levy specifically for schools.

3. *Collection*—

With the exception of taxes on certain corporations which are paid to the comptroller general, taxes are collected by the county tax collectors. The returns of taxable property are to be made after the 1st day of April of each year, and taxes are due on the 20th day of April of each succeeding year.

Delinquent taxes, all of which bear interest at 7 per cent, may be collected by execution. In certain cases the tax collector is made ex officio sheriff for the purpose of enforcing collection.

Collectors are paid by fees, as follows:

On the first $1,000, 6 per cent; on the second $1,000, 4 per cent; on the third $1,000, 3 per cent; on the fourth $1,000, 2½ per cent; on the fifth and sixth $1,000, 2½ per cent; on the seventh and eighth $1,000, 2¼ per cent; on the ninth to twelfth $1,000, 2 per cent; on the thirteenth to eighteenth $1,000, 1¾ per cent; on the nineteenth to thirty-sixth $1,000, 1½ per cent; on all over $36,000, 1¼ per cent.

B. POLL TAXES.

Every male person between the ages of 21 and 60 years, except blind persons and all persons who have lost a limb or limbs, or the use of the same, while actually engaged in military service of the Confederacy, shall pay an annual poll tax of $1, collected as other taxes by the tax collector.

The proceeds of this tax are to be used for elementary educational purposes only.

C. THE INHERITANCE TAX.

There is no inheritance tax in Georgia.

D. CORPORATION TAXES.

Corporations are generally taxed in the same manner as individuals on the general property. (See under General property tax, above.)

Corporations pay an annual license or occupation tax to the tax collector of county where located, deter-

mined in amount by their total capital stock. Corporations with capital stock of $10,000 or less pay $5; $10,000 to $25,000, $10; $25,000 to $100,000, $15; $100,000 to $300,000, $25; $300,000 to $500,000, $50; $500,000 to $1,000,000, $75; over $1,000,000, $100.

Agents of a foreign corporation having a place of business in the state pay a license tax based on the capital of the corporation the same as above. For duplicate certificate for agents a fee of $1 per copy is paid.

The state insurance department was created in 1912. Foreign and domestic insurance companies doing business in the state pay 1 per cent on gross receipts of all premiums, less return premiums on canceled policies, except that when one-fourth of the company's assets are invested in securities of the state, county, or municipality, or invested within the state, the premium tax shall be one-half of 1 per cent; if amount so invested be three-fourths of total assets the premium tax shall be one-tenth of 1 per cent.

Foreign insurance companies, other than fire, also pay to the insurance commissioner for filing certified copy of their charters, $20; for examination of annual statement, $20; for licenses to agents, $3 each. Fire insurance companies, in lieu of above license tax or fee, pay one fee of $200.

Domestic and nonresident fraternal orders pay a license fee of $40.

Fire and storm assessment insurance companies, the business of which is confined to four counties or less, or operated by independent divisions composed of four counties or less, pay to the insurance commission a fee of $25 in lieu of the $200 above provided.

Corporations chartered by superior courts to engage in borrowing and lending money may amend charter upon payment to secretary of state of a fee of $25, and thus be granted privileges granted to trust companies.

Fidelity and guaranty companies pay 1 per cent of their gross premium receipts to the comptroller general on the same terms and in the same manner as insurance companies.

E. BUSINESS TAXES, LICENSES, AND FEES.

The following amounts are per annum, except where otherwise noted:

Professional tax upon lawyers, physicians, osteopaths, dentists, opticians, and public accountants, $10; presidents or the resident official in charge of each public service corporation doing business in the state, building and loan associations, investment and loan companies, $10; photographers, artists, etc., $10; abstractors of titles in towns or cities of 10,000 to 20,000 inhabitants, $25; less than 10,000, $10 (this tax shall not apply to attorneys who have paid professional license of $10); auctioneers, $25 in each county; automobile salesmen, in counties population less than 20,000, $25; 20,000 to 30,000, $50; 30,000 to 50,000, $75; 50,000 to 75,000, $100; 75,000 to 100,000, $150; 100,000 to 150,000, $200; exceeding 150,000 inhabitants, $250; amusement parks, $200; athletic parks when admission fees are charged (professional), cities of less than 3,000 inhabitants, $5; 3,000 to 15,000 inhabitants, $25; over 15,000, $50; bicycle dealers, $10 for each place of business; billiard, pool, or bagatelle table proprietor, $50 for each table; dispensers of cigarettes, $25 for each place of business; mercantile agencies, $100 for each county of business; detectives, $10 for each office or county; moving pictures, etc., $10 per month; fraternal or social organizations having lockers, $500 for each place where lockers are kept; loan agents, other than lawyers, $10 in each county operating; insurance agents, local, $10 in each county operating; traveling or general agents for life, fire, or accident or fidelity or casualty insurance company, $50; assessment life company, industrial life, sick benefit, and live stock insurance companies, $25; matrimonial agencies, $100 per county; emigrant agents, $500 per county; lightning rod agents, $50 for each county; merry-go-round proprietors, $25 for each place of business; bowling alleys and shooting galleries, $25 for each place of business;[1] skating rinks in or within two miles of city of 20,000 inhabitants, $100 for each place; 10,000 to 20,000 inhabitants, $50; 5,000 to 10,000, $25; 5,000 or less, $10;[1] proprietors of amusement tables, devices, etc., $25 for each table, device, etc., in each county;[1] peddlers of medicines, etc., $50;[1] of stoves, etc., $200; of clocks, etc., $200; of churns, tools, etc., $25, for each county in which operating; peddlers using boats, $50.

Traveling fortune tellers, traders, etc., $50 for each county traveled; fortune tellers having fixed place of business, $25 for each county; operators of train news agencies, etc., $200; manufacturers and wholesalers in tobacco who redeem tags or labels, $200 for each place of business where tags are redeemed; typewriter manufacturers or dealers, $25 for each place of business; cash-register manufacturers, dealers, or agents, $100 for each place of business; adding or calculating machine manufacturers, dealers, or agents, $100 for each place of business, weighing-scale manufacturers, dealers, or agents, $25 for each place of business; manufacturers and distributors of soda fountain syrups, one-fourth of 1 per cent of the gross sales, payable quarterly; soda fountains, $5 on each draft arm; packing-house representatives, for each place of business, in county having a city of less than 5,000 inhabitants, $10; 5,000 to 10,000 inhabitants, $50; county having a city with population of 15,000 to 30,000, $100; $200 for each place of business in each county having a city situated therein with a population of 30,000 or more; weapons, dealers in, $25 for each place of business; billiard table, etc., sellers, $100 for each place of business; pawnbrokers, $200 for each place of business; bottlers, $25 for each machine, having one filling head; $75 for a two-filling head machine, $125 for machine of three filling heads, and $50 for each additional filling head on such machine as may have more than three heads; slot machines, per machine, $2.50 or $5, according to character of machine, not more than $75 to be collected from any one person in any one county.

Shows, $50 in each city of 5,000 inhabitants or over, $40 in cities of 4,000 to 5,000 inhabitants, and $30 in towns of less than 4,000 inhabitants. Circus, in or near towns of 20,000 inhabitants or more, $500 each day it may exhibit; in or near towns of 5,000 to 20,000 inhabitants, $200 each day; towns of 4,000 to 5,000 inhabitants, $150; towns of less than 4,000 inhabitants, $100; dog and pony shows with admission fee of 15 cents or more, $50 for each day; less than 15 cents, $30 for each day's performance; midway shows and street fairs, $10 for each week for each separate tent where admission fee is charged; and for every merry-go-round or flying horse accompanying said carnival or street fair, $25; real estate agents, $10 for each county; sellers on own account of mowing machines, reaping and binding machines, or gas engines, whether manufacturers or not, $100, also $10 for or by each selling agent in each county; city or other directories, compilers of, $50; sewing machine sellers, $300, also $10 for each agent by them employed; imitation of or substitute for alcoholic, malt, vinous, or spirituous liquors, manufacturers of, $1,000; wholesalers of, $1,000; retailers of, $300.

Certain of the above taxes are paid to the tax receiver of the county where person so liable is domiciled, other taxes are returned and paid to tax collector of county where vocation or business is carried on; occupation taxes on agents of foreign corporations are paid to comptroller general. Penalty for failure to pay such tax is double the amount of such tax.

A large number of fees are collected by the state officials. The principal ones are enumerated below:

Granting charters to railroad, insurance, express, canal, telegraph, and navigation companies, $100; to banking companies, street or suburban railroad companies, and to purchasers of railroads, $50; renewing charters to railroad, insurance, banking, express, canal, telegraph, and navigation companies, $100; amending charters of banking, railroad, canal, navigation, express, and telegraph companies, $25; renewing charters of street or suburban railroad companies, $25; appointing commissioners of deeds, $5.

[1] All blind or deformed persons or persons who have lost a limb or limbs and are unfit for manual labor are exempt.

Grant for 500 to 1,000 acres, $4; 300 to 500 acres, $3; 100 to 300 acres, $2; 100 acres or under, $1; affixing seal of state, $2; attaching seal of executive department, $1; oath, $1; copy of any record of not more than 300 words, $1; examination of records, 50 cents; entering testimonial, 50 cents; copy of record, if over 300 words, per 100 words, 10 cents.

Admission to the bar examination, $15.

For inspection of fertilizers, 10 cents per ton.

Fee of $1 per ton to be paid by grantee upon phosphate rock and phosphate deposit mined and removed from navigable streams of the state.

Certified public accountant pays a fee of $25 for examination.

Physician, examination, $10; license fee, $10.

Professional nurse, examination, $5.

Embalmers' examination and license fee, $5; annual registration, $2.

Corporations or individuals depositing bonds pay following fees: Bonds or securities aggregating not over $5,000, $2; not over $10,000, $3.75; $25,000, $7.50; $50,000, $12.50; $100,000, $20; more than $100,000, $25. Interstate building and loan associations depositing securities with state depository or trust company an annual fee of $50.

F. THE INCOME TAX.

There is no income tax in Georgia.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—The property included and exempt is the same for county as for state taxation.

b. Assessment.—Building and loan associations or other associations of like character are required to return to the tax receiver of the county where located all real and personal property, except that real property located in another county shall be returned to the tax receiver of that county.

2. *Rate—*

The rate for county purposes for specified objects is levied by the ordinary, who may levy an additional tax, if two-thirds of the grand jury recommend it, not to exceed 50 per cent of the amount of the state tax.

County authorities are authorized to levy a tax of not to exceed 25 per cent of the amount of state tax for support of paupers.

The various counties may be divided into drainage districts and assessments levied to pay cost of drainage, etc.

3. *Collection—*

County taxes are collected in the same general manner as state taxes.

B. POLL TAXES.

The constitution forbids the collection of poll taxes other than for educational purposes and to a greater amount than $1 annually. But the state courts have decided that this constitutional provision does not prevent the enforcement of laws requiring all able-bodied males between the ages of 21 and 50 years, except ministers of the gospel and men who have lost one arm or one leg, to work on the roads of the counties and streets of the cities not to exceed 10 days per year, to be commuted at a sum which will amount to not more than 50 cents per diem for the number of days work required.

The commissioners of roads and revenues or the ordinary may levy a tax (additional) of not more than four-tenths of 1 per cent of all taxable property in the county, which together with the commutation tax shall be known as the "public road fund," except that in counties of population between 9,750 and 9,950 one shall be required to work not more than five days nor pay more than equivalent of such work as a commutation tax, but may be required to pay the equivalent of a day's work as a commutation tax for each and every day required.

By election of the voters of the county the "alternative four days' law" may be adopted, in which case male inhabitants between 21 and 50 years, not physically or mentally disabled, shall be subject to road duty for four days, or a commutation tax of $3 or such amount as the road authorities may fix, as equivalent to four days' labor. In such county the taxing authorities shall levy a tax of not less than 10 nor more than 25 cents on each $100 of taxable property; said sum to be apportioned to the different districts in proportion to the amount of taxable property in such county, to be expended on roads of the county.

D. CORPORATION TAXES.

Counties do not share in corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

County licenses are: To peddle, $50 per annum; to exhibit shows with horses, $10 per annum; to exhibit animals, beasts, and the like, $10 per annum; to exhibit any pictures or figures, $5 per annum; to exhibit any other show, $5 to $25 per annum; theatrical or musical exhibitions, not over $5 per annum.

All blind and deformed persons and all who have lost a limb or limbs and are unfit for manual labor, are exempt from payment of these licenses.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—The property included and exempt is the same for municipal as for state and county taxation.

b. Assessment.—The assessment is made by appointed assessors and not by the tax receivers.

The assessment on rolling stock and other personal property of railroad companies is distributed to municipalities on the same basis as to counties.

c. Equalization.—There is no general equalization but where the assessor fixes a valuation unsatisfactory to the taxpayer, the latter may refer the matter to arbitrators, one to be chosen by the taxpayer, one by the assessor, and the two thus chosen to select an umpire. Should they fail to agree, or to select an umpire within 20 days, the umpire is to be named by the mayor of the city. The taxpayer is expressly given the right to further question this procedure by equity petition in the county court.

2. *Rate*—

No municipal corporation is permitted to levy or collect for the ordinary current expenses an ad valorem tax upon the property within said corporation exceeding one-half of 1 per cent upon the value of said property. In addition to such levy special assessments may, however, be levied for street improvements.

3. *Collection*—

City taxes are generally collected by the treasurer. There may be a city tax collector, who is ordinarily not the same as the county tax collector.

B. POLL TAXES.

Cities may assess a poll tax for street work only, and then only after an opportunity to work on the streets has been given. When levied in labor, this tax is generally commutable. (See also Poll tax, under County Revenues.)

D. CORPORATION TAXES.

Municipalities do not share in corporation taxes, except that cities may collect a tax on insurance companies at a certain percentage on gross premium receipts.

E. BUSINESS TAXES, LICENSES, AND FEES.

Municipal authorities may license pawnbrokers; sellers of domestic wine, not producers; and sellers of liquors.

Dogs are made personal property and are so taxed, but such tax is not to interfere with the imposition of any municipal tax on dogs.

School Revenues.

The state school fund is composed of poll taxes, special taxes on shows and exhibitions, dividends upon the stock of the state in the Bank of the State of Georgia, of the Georgia Railroad & Bank Co., and one-half of the proceeds of the rental of the Western & Atlantic Railroad; all endowments, devises, gifts, and bequests made or to be made to the state or state board of education; the proceeds of any commutation tax for military services; and all taxes that may be assessed on predatory animals. This fund is apportioned to the various units of administration of schools according to the scholastic population. These units vary in different sections. Each county is divided into local school districts, but frequently a county is the unit of administration, such taxes as are levied being levied by the county government and applying to all the property within the county. In other sections the local districts or cities and villages may be the unit of administration, and these units may levy taxes for school purposes only on the property within the corporate limits of such units.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

The following inheritance tax law, which was the most important legislation in 1913, was enacted:

All property within the jurisdiction of the state, real and personal, and every estate and interest therein, whether belonging to the inhabitants of the state or not, passing by will on the death of the decedent, or by the intestate laws of the state, or by deed, grant, gift, or sale, intended to take effect in possession or enjoyment, after the death of the grantor or donor, to any person or persons, bodies politic or corporate, in trust or otherwise, shall pay the following tax to the state: Property passing to any father, mother, husband, wife, child, brother, sister, or wife or widow of a son, or any adopted child or children, born in lawful wedlock, at the rate of 1 per cent on any amount in excess of $5,000.

Property passing to any person, corporation, or association other than those enumerated in the preceding paragraph, at the rate of 5 per cent.

This tax is a lien upon the property so passing and it becomes due and payable at the death of the decedent.

There is no provision for a deduction in case of prompt payment, but unless the tax is paid within 12 months after the death of decedent, interest is charged until paid.

A state tax commission was provided for, and also county boards of assessors, three in number, with additional duties as county boards of equalization.

The annual license or occupation tax of domestic corporations was amended as follows: Corporations with a capital stock of $10,000 or less, $10; $10,000 and less than $25,000, $20; $25,000 and less than $100,000, $30; $100,000 and less than $300,000, $50; $300,000 and less than $500,000, $100; $500,000 and less than $1,000,000, $150; over $1,000,000, $200.

State fee for registering automobiles, $5, in lieu of all municipal licenses for registration. Physician's fee for examination, $20; license fee, $20; fee by reciprocity, $50.

In certain counties according to population a board of education is provided for with authority to levy not more than 5 mills upon the taxable property of the county for school purposes.

IDAHO.[1]

Idaho depends principally for state, county, and local revenues on the general property tax. There is an inheritance tax, both direct and collateral. The state has a general corporation tax based on capital stock and shares in the license taxes collected locally. The state is still in receipt of considerable sums each year from the sale of public lands for the benefit of the school fund.

[1] This compilation is derived mainly from the following sources:
Code of Idaho, 1901. Published by the Capital News Printing Co., Boise, Idaho.
The Session Laws to 1913.

CONSTITUTIONAL PROVISIONS.

ARTICLE III.

SEC. 19. The legislature shall not pass local or special laws in any of the following enumerated cases, that is to say: * * * For the assessment and collection of taxes. * * * Exempting property from taxation. * * * Remitting fines, penalties, and forfeitures.

ARTICLE VII.

SEC. 2. The legislature shall provide such revenue as may be needful by levying a tax by valuation, so that every person or corporation shall pay a tax in proportion to the value of his, her, or its property, except as in this article hereinafter otherwise provided. The legislature may also impose a license tax (both upon natural persons and upon corporations, other than municipal, doing business in this state); also a per capita tax: *Provided*, That the legislature may exempt a limited amount of improvements upon land from taxation.

SEC. 3. The word "property" as herein used shall be defined and classified by law.

SEC. 4. The property of the United States, the state, counties, towns, cities, and other municipal corporations and public libraries, shall be exempt from taxation.

SEC. 5. All taxes shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws, which shall prescribe such regulations as shall secure a just valuation for taxation of all property, real and personal: *Provided*, That the legislature may allow such exemptions from taxation from time to time as shall seem necessary and just, and all existing exemptions provided by the laws of the territory shall continue until changed by the legislature of the state: *Provided further*, That duplicate taxation of property for the same purpose during the same year is hereby prohibited.

SEC. 6. The legislature shall not impose taxes for the purpose of any county, city, town, or other municipal corporation, but may by law invest in the corporate authorities thereof, respectively, the power to assess and collect taxes for all purposes of such corporation.

SEC. 7. All taxes levied for state purposes shall be paid into the state treasury, and no county, city, town, or other municipal corporation, the inhabitants thereof, nor the property therein, shall be released or discharged from their or its proportionate share of taxes to be levied for state purposes.

SEC. 8. The power to tax corporations or corporate property, both real and personal, shall never be relinquished or suspended, and all corporations in this state, or doing business therein, shall be subject to taxation for state, county, school, municipal, and other purposes, on real and personal property owned or used by them, and not by this constitution exempted from taxation within the territorial limits of the authority levying the tax.

SEC. 9. The rate of taxation of real and personal property for state purposes shall never exceed 10 mills on each dollar of assessed valuation, unless a proposition to increase such rate, specifying the rate proposed and the time during which the same shall be levied, shall have been submitted to the people at a general election and shall have received a majority of all the votes cast for and against it at such election.

SEC. 11. Provides that each year's expenditures, except for insurrection or war, shall be kept within the above rate.

SEC. 12. There shall be a state board of equalization, consisting of the governor, secretary of state, attorney general, state auditor, and state treasurer, whose duties shall be prescribed by law. The board of county commissioners for the several counties of the state shall constitute boards of equalization for their respective counties, whose duties it shall be to equalize the valuation of the taxable property in the county, under such rules and regulations as shall be prescribed by law.

SEC. 15. The legislature shall provide by law such a system of county finance as shall cause the business of the several counties to be conducted on a cash basis. It shall also provide that whenever any county shall have any warrants outstanding and unpaid, for the payment of which there are no funds in the county treasury, the county commissioners, in addition to other taxes provided by law, shall levy a special tax, not to exceed 10 mills on the dollar of taxable property, as shown by the last preceding assessment, for the creation of a special fund for the redemption of said warrants; and after the levy of such special tax all warrants issued before such levy shall be paid exclusively out of said fund. All moneys in the county treasury at the end of each fiscal year not needed for current expenses shall be transferred to said redemption fund.

ARTICLE XVIII.

SEC. 7 (The fifth amendment). (County officers are to be paid by salaries and are to turn all fees into the county treasury.)

OFFICERS.

The officers most directly concerned with taxation are:

(1) The county assessors, who are ex officio tax collectors, elected biennially in each county. A constitutional amendment allows the assessors to employ assistants, with approval of the county commissioners.

(2) The county commissioners, who form the county board of equalization.

(3) The county auditors.

(4) The state board of equalization, composed of the governor, secretary of state, attorney general, state auditor, and state treasurer.

State Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

a. The property included and exempt.—All property in the state, not exempt by law, including interests in state lands, is subject to this tax.

(1) "Real estate" includes the possession of, claim to, ownership of, or right to the possession of land (but possessory claims are exempt), mines, minerals, and quarries.

"Improvements" include buildings, structures, and the like, fruit and nut bearing, and ornamental trees and vines.

(2) "Personal property" includes everything subject to ownership, not included above. Shares of stock in Idaho corporations are not ordinarily taxed, but property of the corporation is taxed.

(3) The exemptions are, in addition to public property, all property used for school purposes; churches, chapels, and other buildings belonging to any church organization; benevolent hospitals; public cemeteries; buildings owned and used by the Masons, Odd Fellows, or other benevolent or charitable societies; property of resident widows and orphans and Union soldiers and sailors, to the amount of $1,000, when total assessment does not exceed $5,000; growing crops; public and private libraries; tools, farming implements and machinery to the amount of $400; possessory right to public lands; mortgages; mining claims not patented; irrigating canals and ditches, when used by owner on his land; improvements on land, not exceeding $200 in value.

b. Assessment.—The property is to be listed at its full cash value; land and improvements thereon are considered separately. Lands are further classified as agricultural, timber, cut-over and burnt, mineral, grazing, and waste lands, and city and town lots.

The property is assessed at 40 per cent of the amount at which it is listed; and to this 40 per cent assessed value the rate is applied. The listing refers to the second Monday in January and the rolls are to be completed by the 1st day of July. Each taxpayer is to furnish under oath a list of his property. Values given by taxpayers, however, are not binding on the assessor. Refusal to make a statement deprives the taxpayer of all rights before the board of equalization.

In assessing solvent credits, debts due bona fide residents of the state may be deducted.

Water ditches and toll roads are assessed as real estate at a rate per mile.

Telegraph and telephone lines, private car lines, "railroad track" and "rolling stock" of railroad companies, and the franchises of all such companies are assessed by the state board of equalization. This assessment covers all property necessary to the operation of the road, etc., and the assessment so made is apportioned among the counties on the basis of mileage. Other property is assessed by the local assessors.

Shares of stock in national banks are assessed to the owners where the bank is located. Taxes thereon may be paid by the bank.

c. Equalization.—The board of county commissioners equalizes the assessment between individuals. It also hears and adjudicates complaints.

The state board of equalization equalizes the valuation of property between the counties. It may increase or decrease the valuation by classes of property in any county. But it may not increase or decrease by more than 15 per cent the total valuations of the state as returned by the assessor.

2. *Rate*—

There is no state rate, strictly speaking, for the law requires that the amount to be raised by ad valorem taxes for state purposes shall be apportioned to the counties on the basis of the assessed valuation, and the share of each county levied by the county authorities with and as if a part of the county taxes. The apportionment is made by the state board of equalization.

3. *Collection*—

Taxes are collected by the county assessor, who is ex officio tax collector. They become a lien on the property of the taxpayer on the second Monday in January, are due 10 days after the second Monday in September, and become delinquent the first Monday in January, when 10 per cent penalty is added. The collector is required by statute to give, by December 1 of each year, a written notice to each taxpayer of the several levies making up the total amount due from the taxpayer. The delinquent list is published on the fourth Monday in May, and taxes thereon may be collected by seizure and sale.

When personal property is assessed and the taxpayer has not enough realty to insure the collection of the tax, the assessor may collect the tax on the personal property at the time of the assessment thereof. If the assessment is made before the rates have been ascertained, the assessor may use the rates of the preceding year.

B. POLL TAXES.

The poll tax is a county tax.

C. THE INHERITANCE TAX.

All property which shall pass, by will or by the intestate laws of the state, from any person who may die seized or possessed of the same while a resident of the state, or if such decedent was not a resident of the state at the time of death, which property, or any part thereof, shall be within this state, or any interest therein or income therefrom, which shall be transferred by deed, grant, sale, or gift, made in contemplation of death, or intended to take effect after such death, is subject to an inheritance tax, to be paid to the treasurer of the proper county for the benefit of the general fund of the state.

The tax shall be a lien upon the estate until paid, and shall be upon the market value of such property.

All property transferred to societies, corporations, and institutions exempted from taxation, or which are devoted to charitable, benevolent, or educational purposes, is exempt from this tax.

The rates and further exemptions are as follows:

(1) Property in excess of the clear value of $10,000 transferred to the widow or to a minor child of the decedent and in excess of $4,000 transferred to the husband, wife, lineal issue, lineal ancestor, or adopted child of the decedent, or any child to whom such decedent for not less than ten years prior to the transfer stood in the mutually acknowledged relation of a parent, or any lineal issue of such adopted or mutually acknowledged child, up to $25,000 is taxed at the rate of 1 per cent; all in excess of $25,000 and up to $50,000, 1½ per cent; all in excess of $50,000 and up to $100,000, 2 per cent; all in excess of $100,000 and up to $500,000, 2½ per cent; over $500,000, 3 per cent.

(2) Property in excess of $2,000 transferred to the brother, sister, or a descendant of a brother or sister, a wife or widow of a son, or the husband of a daughter of the decedent is taxed at the rate of 1½ per cent of such excess up to $25,000; all in excess of $25,000 and up to $50,000, 2½ per cent; all in excess of $50,000 and up to $100,000, 3 per cent; all in excess of $100,000 and up to $500,000, 3½ per cent; over $500,000, 4½ per cent.

(3) Property in excess of $1,500 transferred to the brother or sister of the father or mother of the decedent or a descendant of such person is taxed at the rate of 3 per cent of such excess up to $25,000; all in excess of $25,000 and up to $50,000, 4½ per cent; all in excess of $50,000 and up to $100,000, 6 per cent; all in excess of $100,000 and up to $500,000, 7½ per cent; over $500,000; 9 per cent.

(4) Property in excess of $1,000 transferred to the brother or sister of the grandfather or grandmother of decedent or a descendant of such person is taxed at the rate of 4 per cent on such excess up to $25,000; all in excess of $25,000 and up to $50,000, 6 per cent; all in excess of $50,000 and up to $100,000, 8 per cent; all in excess of $100,000 and up to $500,000, 10 per cent; over $500,000, 12 per cent.

(5) Property in excess of $500 transferred to a person in any other degree of consanguinity or a stranger in blood to the decedent or a body politic or corporate is taxed at the rate of 5 per cent on such excess up to $25,000; all in excess of $25,000 and up to $50,000, 7½ per cent; all in excess of $50,000 and up to $100,000, 10 per cent; all in excess of $100,000 and up to $500,000, 12½ per cent; over $500,000, 15 per cent.

If the tax is paid within six months after the death of the donor, 5 per cent discount is allowed. If not paid within one year, interest at the rate of 6 per cent per annum is added.

The probate court may appoint appraisers to determine the value of any estate.

The administrator is required to deduct the tax before delivering the property.

D. CORPORATION TAXES.

Corporations, in addition to the general property tax, pay the following license fees:

Every corporation doing business in the state, except insurance and unproductive mining companies, shall pay a license fee in proportion to its authorized capital stock. If the capital stock exceeds $5,000, $10; $5,000 to $10,000, $12.50; $10,000 to $25,000, $15; $25,000 to $50,000, $22.50; $50,000 to $100,000, $37.50; $100,000 to $250,000, $52.50; $250,000 to $500,000, $75; $500,000 to $1,000,000, $90; $1,000,000 to $2,000,000, $130; over $2,000,000, $150.

All insurance companies, except mutual, pay a tax of 2 per cent on gross premiums received in Idaho less premiums and cancellations returned to policyholders.

All express companies pay 3 per cent upon their gross receipts.

E. BUSINESS TAXES, LICENSES, AND FEES.

The state receives 10 per cent, the counties 40 per cent, and schools 50 per cent of the following licenses which are issued by the counties:

Auctioneers, $5 per month, or $20 per annum; toll bridges and ferries, rate fixed by commissioner; billiards, etc., each table, $5 per quarter; bowling alley, $5 per quarter; exhibition of caravan, menagerie, circus, etc., each exhibition, $10; other shows per day, $5; pawnbrokers, $50 per quarter, two months $33.33, one month $16.67; peddlers—with a pack and on foot, $100 annually; wagon and one horse, $150 annually; wagon and two horses, $250 annually; with other conveyances, $300 annually.

Liquor licenses.—For liquor, to be drunk on the premises, $750 per annum; not to be drunk on the premises, $200 per annum.

The state receives from the insurance commissioner all the proceeds of the following licenses: Insurance companies, $50 annually; hunter's license, $1; nonresident hunter's license, $25; fraternal societies, license fee, $5 annually; insurance agents, $2 to $5 annually.

For filing articles of incorporation—when the capital stock does not exceed $25,000, $10; $25,000 to $50,000, $20; $50,000 to $100,000, $40; $100,000 to $500,000, $60; $500,000 to $1,000,000, $100; over $1,000,000, $150. Filing certificates of changes of articles of incorporation, $5; executive commissions, $5; certifying laws, $3; searching records and certifying laws, $5.

Grazing fee on sheep entering the state from other states and territories, 5 cents per head, payable into the state treasury to the credit of the state live stock sanitary fund.

To insurance commissioner.—Fraternal societies, for filing articles of incorporation, $10; societies' power of attorney, $2; annual statement, $25.

Domestic fire insurance companies.—Filing articles of incorporation, $10; annual statement, $10.

Insurance companies.—Annual statement, $50; copies of papers, 20 cents per folio; affixing seal, $1; valuing policies, 1 cent for each $1,000; receiving copies of summons, $2.

F. THE INCOME TAX.

There is no income tax in Idaho.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the methods of assessment and of equalization are the same for county as for state purposes.

2. *Rate*—

The board of county commissioners annually ascertains the necessary rate to be levied on each $100 of taxable property for state and county taxes.

County commissioners at the time of the annual levy of taxes must levy a tax of ½ mill on the dollar of assessed valuation of all horses, cattle, goats, mules, asses, and swine, and 4 mills on the dollar of assessed valuation of all sheep within the county for the purpose of exterminating predatory animals. Said commissioners may at the same time levy a tax not exceeding 5 mills on the dollar for the purpose of exterminating pests.

3. *Collection*—

County taxes are collected in substantially the same manner as state taxes.

The board of county commissioners at its annual meeting may order the cancellation of any manifestly erroneous tax bills; also the refunding of any money erroneously collected.

B. POLL TAXES.

Every male over 21 and under 50 years of age, except paupers, insane persons, Indians not taxed, Government prisoners, active members of volunteer fire companies, and persons permanently disabled so as to be unable to perform manual labor, and honorably discharged soldiers in the volunteer service of the United States, must pay an annual poll tax of $2. If not paid before the second Monday in January, the tax becomes $2.50. This is collected by the tax collector.

A road poll tax not to exceed $4 on each adult person, levied by the board of county commissioners, is collected by the road overseers in the road districts of the county and by them turned over to the county treasurer. Employers are responsible for the collection of the road poll tax of their employees, and may deduct such payment from the wages.

C. THE INHERITANCE TAX.

There is no county inheritance tax.

D. CORPORATION TAXES.

All corporations are taxed under the general property tax.

E. BUSINESS TAXES, LICENSES, AND FEES.

The county receives 40 per cent of the moneys collected by the state for licenses. (See State licenses for description.)

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the method of assessment and of equalization are substantially the same for municipal as for state and county purposes.

Although cities do not make a separate assessment, the municipal authorities are empowered by statute to, in certain instances, include with the property subject to taxation the unpatented lands embraced within the municipal limits. No lien attaches until after the lands become patented. These claims to public lands are not included in the regular assessment for state, county, and municipal purposes.

2. *Rate*—

The council or trustees of each city or village certify the rate to the tax collector of the county. The limit is 20 mills for general expenses; but other taxes authorized by law may be levied.

3. *Collection*—

By the county tax collector in substantially the same manner as the state and county taxes. The county receives a percentage for collection. For 1912 the statutes allowed the counties 1½ per cent for such collection.

B. POLL TAXES.

Each city and village is empowered to require every able-bodied male to work two days on the streets or highways, or to provide a substitute. Each delinquent shall forfeit not to exceed $1 per day.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no inheritance or corporation taxes for municipalities.

E. BUSINESS TAXES, LICENSES, AND FEES.

Cities may impose a license tax of not less than $3 nor more than $10 upon owners or harborers of dogs.

School Revenues.

The school revenues consist of interest on the public school fund, the principal of which is derived from proceeds of the sale of lands and from escheats; an annual county tax of not less than 5 mills nor more than 10 mills per dollar, also fines and forfeitures; 50 per cent of licenses; and special school district taxes, voted by the school districts, of not to exceed 10 mills.

Like municipal taxes, the school district taxes are collected by the county tax collector, the county receiving a percentage (1½ per cent in 1912) for the collection.

Road District Revenues.

Three varieties of road tax on county property appear in Idaho:

(1) A general road tax of from 10 cents to 100 cents on each $100 on the value of taxable property. This tax is levied over the entire county. Twenty-five per cent of amount collected within the incorporated cities, towns, and villages is returned to those minor subdivisions.

(2) A special property road tax. This tax may be levied over the entire rural portion of the county, or it may be levied in only a certain road district or districts of the county. These road districts are established by the board of county commissioners, and changed in area or number at said board's will. If the board does not want to levy a special road tax throughout the entire county, if a majority of the taxpayers in any road district shall petition the county board to levy a special tax within that one road district, the county board may, at its option, do so. The petition must state the rate to be levied, which must not exceed 100 cents.

(3) A tax levied by a "special good roads district." These districts seem to be distinct from the road districts marked off by the county commissioner. If 25 or more taxpayers in any "portion" of a county wish for some specific road purpose to have said portion of the county set off as a special good roads district they may, by petition to the board of county commissioners, secure an election to be held within such portion of the county, the election to determine whether such proposed road district shall be established. Resident realty owners only may vote at said election. If the district be established, three "good roads commissioners" are elected. They form a board, one becoming chairman, one secretary, and one treasurer.

The said board has power to issue bonds after the district election has so authorized. It makes an estimate of the amount necessary to be raised for the purposes of the district and delivers the same to the county auditor, who levies the tax, which is collected with other taxes by the county assessor. The statutes place no limit on this levy.

For the road poll tax, see Poll taxes, above.

Irrigation Districts.

Irrigation districts are formed on petition of a percentage of the landowners to be affected thereby. The petition is addressed to the board of county commissioners in that county which embraces most of the area of the proposed district. After a hearing by the commissioners, and the ordering of an election, the proposed district may, by a two-thirds majority of those voting, be established. A board of directors is elected, they choose a president, secretary, and treasurer; call election before issuing bonds or assessing property; assess the property of the district, not according to its value but according to the special benefit to be received from the irrigation project.

The cost of the irrigation works is apportioned over the different tracts of land in accordance with the relative benefit to accrue to each tract. The amount thus apportioned—rather than the value of the land—is used as the base upon which the periodical and special taxes are calculated. The board of directors levies an annual tax or "assessment" on the third Tuesday of August each year. In the latter part of September the board meets as a board of correction to correct any errors in the list. The tax is collected by the treasurer. Payment is due in November. The tax becomes delinquent after the first Monday in January, and becomes a lien upon the property after the first Monday in March.

The board of directors is authorized by statute to charge tolls for water supplied by the irrigation works.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

A constitutional amendment was adopted by which the county treasurer, who is also public administrator, becomes ex officio county tax collector, this duty being taken away from the county assessors.

The public utilities commission was constituted the state tax commission. As such it has supervision of the administration of all laws relating to the assessment of property and the levy, collection, apportionment, and distribution of taxes. All county boards of assessment and equalization and all officers concerned with the administration of the revenue laws of the state are subject to the authority of the commission. All property is required to be assessed at its "full cash value," which is defined as "the value at which the property would be taken in payment of a just debt due from a solvent debtor, or the amount the property would sell for at a voluntary cash sale made in the ordinary course of business, taking into consideration its earning power when put to the same uses to which property similarly situated is applied."

Further exemptions from taxation were made as follows: Fruit and nut-bearing trees planted in orchard form for less than 4 years, and grape vines for less than 3 years; capital stock of corporations to the amount actually invested in or represented by property which has been assessed; cooperative telephone lines from which no profit is derived or upon or over which no fees or tolls are charged or collected; surgical or scientific instruments of resident professional men, to the amount of $400; household goods and furniture, sewing machines, musical instruments, wearing apparel, and jewelry of resident owners to the amount of $400, when the total value does not exceed $1,000.

All real and personal property must be assessed between the second Monday in January and the fourth Monday in June; lands in cities, towns, etc., are classified as business or residence lots; shares of stock in national or state banks, building and loan associations, and trust, surety, and fidelity companies organized under the laws of the state are assessed to the owners where they are located, but the taxes may be paid by the banks; foreign banks and private bankers with no fixed amount of capital are assessed where located on an amount equal to the general average of money used during the preceding year.

Taxes become delinquent on the first Monday in January succeeding the levy, 10 per cent penalty being added; if, however, one-half is paid prior to the delinquent date, the penalty on the other half is only 4 per cent. Taxpayers must be notified of the several levies prior to the fourth Monday in November.

The state treasurer must return to widows the amount paid by them as an inheritance tax upon their share of the community property.

Annual registration fees for motor vehicles from $15 to $40, according to horsepower, and for motor vehicles, $5; automobile dealers and manufacturers, $35.

A "Blue Sky" law, regulating investment companies, was passed and certain fees authorized.

The law authorizing a tax levy on live stock for the extermination of predatory animals was repealed, and the board of county commissioners was authorized to levy a special tax of not more than 1 mill, to be known as "Scalp fund for paying bounties." They may also levy a tax of 1 mill for the extermination of crickets and other pests.

Special school district taxes may be levied not to exceed 15 mills in districts other than independent districts. In the latter the board of trustees may levy a special tax not exceeding 20 mills, and where rural school routes are maintained 10 mills additional may be levied for said routes.

Highway commissioners may levy not to exceed 2½ mills for road purposes, and not to exceed 1 mill for bridge purposes, provided that these rates when added to those imposed by the board of county commissioners, shall not exceed 4 mills for road and 1 mill for bridge purposes.

Drainage districts may be organized upon petition of the owners of one-fifth of the acreage in said district. Amounts levied in this district are added to the general property taxes and collected therewith. Incorporated towns, cities, or villages may exercise the functions of a drainage district, or the whole or any portion of a town, city, or village may be included with other territory in a common district.

ILLINOIS.[1]

The constitution prescribes a general property tax for state, county, and municipal purposes, and also authorizes the taxation of certain occupations, franchises, and privileges.

Corporations are generally taxed in the same manner as individuals. But domestic corporations are also taxed on the excess of their capital stock above the value of their tangible property. All such corporations except manufacturing, coal mining, newspaper publishing, and stock-breeding corporations are assessed on the excess by the state board of equalization. Those excepted are assessed by the local assessors.

The poll tax is used solely for road district purposes.

CONSTITUTIONAL PROVISIONS.

ARTICLE IX.

Sec. 1. The general assembly shall provide such revenue as may be needful by levying a tax by valuation, so that every person and corporation shall pay a tax in proportion to the value of his, her, or its property—such value to be ascertained by some person or persons to be elected or appointed in such manner as the general assembly shall direct, and not otherwise; but the general assembly shall have power to tax peddlers, auctioneers, brokers, hawkers, merchants, commission merchants, showmen, jugglers, inkeepers, grocery keepers, liquor dealers, toll bridges, ferries, insurance, telegraph and express interests or business, vendors of patents, and persons or corporations owning or leasing franchises and privileges, in such manner as it shall from time to time direct by general law, uniform as to the class upon which it operates.

Sec. 2. The specification of the objects and subjects of taxation shall not deprive the general assembly of the power to require other subjects or objects to be taxed in such manner as may be consistent with the principles of taxation fixed in this constitution.

Sec. 3. The property of the state, counties, and other municipal corporations, both real and personal, and such other property as may be used exclusively for agricultural and horticultural societies, for school, religious, cemetery, and charitable purposes, may be exempted from taxation by general law. In the assessment of real estate encumbered by a public easement any depreciation occasioned by such easement may be deducted from the valuation of such property.

Sec. 4. The general assembly shall provide, in all cases where it may be necessary to sell real estate for the nonpayment of taxes or special assessments for state, county, municipal, or other purposes, that a return of such unpaid taxes or assessment shall be made to some general officer of the county having authority to receive state and county taxes; and there shall be no sale of said property for any of said taxes or assessments but by said officer upon the order or judgment of some court of record.

Sec. 6. The general assembly shall have no power to release or discharge any county, city, township, town, or district whatever, or the inhabitants thereof, or the property therein, from their proportionate share of the taxes to be levied for state purposes, nor shall commutation for such taxes be authorized in any form whatsoever.

[1] This compilation is derived mainly from the following sources:
Revenue Laws of the State of Illinois. Auditor's edition, 1908. Compiled and published under the direction of James S. McCulloch, auditor of public accounts, Springfield, Ill., 1908.
A report on the taxation and revenue system of Illinois, prepared for the Illinois Special Tax Commission by John A. Fairlie, Ph. D.—1910.
The Revised Statutes of the State of Illinois, 1911. Being all the general statutes of the state in force on January 1, 1912. By Harvey B. Hurd, Chicago, 1911.
The session laws of 1913.

SEC. 7. All taxes levied for state purposes shall be paid into the state treasury.

SEC. 8. County authorities shall never assess taxes, the aggregate of which shall exceed 75 cents per $100 valuation, except for the payment of indebtedness existing at the adoption of this constitution, unless authorized by a vote of the people of the county.

SEC. 9. The general assembly may vest the corporate authorities of cities, towns, and villages with power to make local improvements by special assessment, or by special taxation of contiguous property, or otherwise. For all other corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes; but such taxes shall be uniform in respect to persons and property within the jurisdiction of the body imposing the same.

SEC. 10. The general assembly shall not impose taxes upon municipal corporations or the inhabitants or property thereof for corporate purposes, but shall require that all taxable property within the limits of municipal corporations shall be taxed for the payment of debts contracted under authority of law, such taxes to be uniform in respect to persons and property within the jurisdiction of the body imposing the same. Private property shall not be liable to be taken or sold for the payment of the corporate debts of municipal corporations.

ARTICLE XIV.

Separate sections, Illinois Central Railroad.—No contract, obligation, or liability whatever, of the Illinois Central Railroad Co., to pay any money into the state treasury, nor any lien of the state upon, or right to tax property of said company in accordance with the provisions of the charter of said company, approved February 10, in the year of our Lord 1851, shall ever be released, suspended, modified, altered, remitted, or in any manner diminished or impaired by legislative or other authority; and all moneys derived from said company, after payment of the state debt, shall be appropriated and set apart for the payment of the ordinary expenses of the state government and for no other purposes whatever.

OFFICERS.

The officers most directly concerned with taxation are:

A. In counties not under township organization:

(1) The county treasurer, elected for four years, who is ex officio county assessor.

(2) The board of county commissioners, which completes the assessment, equalizes between individuals, and hears complaints.

(3) The sheriff, who is ex officio tax collector.

(4) The county clerk, who acts as county auditor.

B. In counties under township organization having less than 125,000 inhabitants.

(1) Township assessors, elected for two years.

(2) The county treasurer, who is ex officio supervisor of assessments and controls and directs the township assessors in their work; he is also ex officio county tax collector, and as such completes the work of the township collectors.

(3) The county board of review, composed of the chairman of the county board of supervisors and two citizens appointed by the county judge, which reviews the assessment, equalizes between taxpayers and townships, and hears complaints.

(4) The township collectors, elected for two years.

(5) The county clerk, who acts as auditor.

C. In counties over 125,000.

(1) The board of assessors, composed of five members, elected for a full term of six years, retiring in three groups, two of two members each and one of one member, one group retiring every two years. The board appoints its own deputies, except that the township assessors in districts outside of Chicago are by law made deputies of the board.

(2) The board of review, composed of three members, elected for a full term of six years, one retiring every two years, which reviews the assessment, equalizes between taxpayers, townships, and districts, and hears complaints.

(3) The county clerk, who acts as auditor.

(4) The county treasurer, who is ex officio the county tax collector.

D. In state at large:

(1) The state board of equalization, one member from each congressional district, elected for four years, together with the auditor of public accounts.

(2) The auditor of public accounts.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—The following classes of property are included and exempt:

(1) and (2) All real and personal property in the state, except that which is specifically exempted, is subject to ad valorem taxation.

All moneys, credits, bonds or stocks, and other investments, the shares of stock of incorporated companies and associations, other personal property, including property in transit to or from the state, used, held, owned, or controlled by persons residing in the state.

Shares of capital stock of banking companies doing business in the state.

Capital stock of domestic companies, with a few exceptions.

The net receipts of foreign fire, marine, and inland navigation insurance companies are taxed as property is taxed.

(3) Exemptions, in addition to all public property, are: All property of institutions of learning or of purely public charity; all chruch property, actually and exclusively used for church purposes, cemeteries, and free public libraries; all property used by societies for agricultural, horticultural, mechanical, and philosophical purposes when not used for pecuniary profit; property of the fire department.

b. Assessment.—In general, there is but one assessment for state, county, and municipal purposes, and that is made by the town and district assessors, or in counties not under township organization, by the county assessor; or when made by any other body, as, in a few instances, by the state board of equalization, it is apportioned to the towns and districts as if so made. The assessment depends very largely upon the sworn statement or list made by the taxpayer, who is required to list his property at its full cash value. But the "assessed value" fixed by the assessor is only one-third of the full value. Property is assessed as of the 1st day of April. Real estate is assessed once every four years. The last assessment was made in 1911. But the "general assessment" so made is corrected annually for changes prior to April 1. The sum secured by a mortgage is taxable as a credit of the mortgagee. Personal property is assessed annually.

Owners of real estate are required to list their property, but the value is determined by the assessor on "actual view."

Owners of personal property are required to list the same at its fair cash value and swear to the list and value, but the law further requires that the assessor shall determine the fair cash value; only one-third of the full value is assessed. With certain exceptions, personal property is assessed in the town, city, village, district, or county where the owner resides. The penalty for refusal to make out a list or swear to it is a fine of not more than $200, and the assessed value is increased 50 per cent.

Government lands located prior to May 1 are taxable for that year and annually thereafter as real estate.

All corporations organized under the laws of the state, except companies for purely manufacturing purposes, or for the mining and sale of coal, or for printing, or for publication of newspapers, or for the improving or breeding of stock, which excepted companies are assessed by the local assessors, and except the Illinois Central Railroad Co., not subject to the general property tax (see Corporation tax), and railroad, telegraph, and telephone companies assessed as described below by the state board of equalization, and banks and insurance companies generally, whose assessment is described below, are assessed as follows: First, by the local assessors on the value of their tangible property; second, by the state board of equalization on the excess in the value of their capital stock, including the franchise, over that of their tangible property, and the excess so assessed is certified to the county clerk of the county where the company is located.

Railroads (except the Illinois Central Railroad) are assessed by the state board of equalization and the local assessors. The latter assess all real estate not included in right of way or "railroad track" and the tools and materials for repairs, and all other personality except "rolling stock." The former assesses the "railroad track" and the "rolling stock," apportioning the value of the "main track" and "rolling stock" by a unit rule among the counties, where it is reapportioned by the county clerk among the townships, etc.; but the "side track" is assessed, where it is situated, by the state board and is not so apportioned. The railroads are required to assist in the assessment by listing their property in each county with the county clerks and in the state as a whole with the auditor of public accounts. The state board is also required to assess the excess value of capital stock over the value of tangible property as assessed, if there be any such excess.

Telegraph and telephone companies.—The state board of equalization assesses the capital stock of such companies where the company is incorporated under the laws of Illinois, deducting the assessed value of property locally taxed, and apportions the amount among the several counties as railroad assessments are apportioned.

Mortgages.—Where a deed for real estate is held for the payment of a sum of money, such sum so secured is held to be personal property and must be listed as a credit by the mortgagee.

Shares of stock of foreign corporations are assessed to the shareholder at his residence. Shares in state and national banks are assessed to the shareholder where the bank is located, less deductions for real estate and allowances for uncollectible accounts.

Mutual building and loan association stock, either domestic or foreign, is assessed to the stockholders at their place of residence. In determining the value of the stock the value of the real estate is first deducted.

Property of banks.—Banks other than state or national are taxed on their moneys, personal property, credits, bonds, and stocks, less deposits and other accounts payable.

Money and credits.—From the gross amount of credits the taxpayer may deduct from his list the amount of all bona fide debts owing by him. These deductions must be verified by oath.

Pawnbrokers are assessed on the value of the property pledged to and held by them.

Franchises granted by the state are to be listed as personal property.

All property and assets of life insurance companies organized under the laws of the state are assessed to the corporation as to a natural person in the name of the corporation, in the county, town, city, village, or district of its residence. In computing the taxable property the value of the real property taxed is deducted from its net admitted assets above liabilities as returned to the insurance superintendent.

Insurance agencies, representing companies organized under the laws of another state, are assessed upon their net receipts as property.

c. Equalization.—In counties not under township organization, the board of county commissioners equalizes between taxpayers, townships, and districts, and may increase or lower the total assessment of each of the several classes of property.

In counties under township organization, excepting Cook County, the same powers rest in the county board of review.

In Cook County there is a specially constituted board of review for this work.

The state board of equalization equalizes between the several counties, considering various classes of property separately. It may lower or raise the total assessed value of property in any county, but the total of such decrease or increase may not exceed 10 per cent of the total assessed value of all the property in the state.

2. *Rate—*

The rate per cent required to produce the amount of taxes levied by the general assembly is to be ascertained annually by the governor, auditor, and treasurer. The amount of taxes is extended by the county clerk on the assessed value of property as equalized by the state board of equalization. Separate rates are certified for the "revenue fund," the "interest fund," "state school fund," and other funds.

3. *Collection—*

In general, all taxes—state, county, and municipal—are collected by the same collectors. In counties having township organization this is done by the township collectors, except in Cook County, where the county treasurer is ex officio tax collector; in other counties by the sheriff, who is ex officio collector, except that in counties under township organization railroad taxes are paid directly to the county treasurer, who is made ex officio tax collector for that purpose. Personal property taxes may be collected by distress and sale of goods and chattels. Taxes on personal property not sufficiently secured by such personal property may become a lien on the real estate of the taxpayer, and personal property is liable for taxes levied on real property, and such taxes are due and payable when demanded by the collector who receives a warrant for the collection thereof on or before January 2 following the year in which taxes are levied. Taxes on real estate become delinquent March 10 in the year following the assessment and the land may be sold for taxes after publication of the proper notice and obtaining judgment and order of sale at the June term of the county court. Taxes become a lien upon real property May 1 of the year in which the taxes are levied. Interest is charged from May 1, after the taxes become delinquent.

B. POLL TAXES.

There is no state poll tax.

C. THE INHERITANCE TAX.

SEC. 1. A tax is imposed on any transfer of property, real, personal, or mixed, or any interest therein or income therefrom, to any person, association, or corporation, in the following cases:

1. When the transfer is by will or by the intestate laws of the state, from any person dying seized or possessed of the property while a resident of this state.

2. When the transfer is by will or intestate laws of the state, or within its jurisdiction, of property within the state, and the decedent was a nonresident of the state at the time of his death.

3. When the transfer is of property made by a resident or by a nonresident, when such nonresident's property is within the state, or within its jurisdiction, by deed, grant, bargain, sale, or gift, made in contemplation of death or intended to take effect after death.

4. When any person becomes entitled to property by any such transfer made before or after the passage of this chapter.

5. When any person shall exercise a power of appointment, derived from disposition of property made before or after the passage of this chapter, such appointment when made shall be deemed a transfer taxable in the same manner as though the property belonged to donee of such power.

6. This tax shall be computed on the true and full value in money of the property.

The rate for property passing to the father, mother, husband, wife, brother, sister, wife or widow of the son or husband of the daughter, adopted child or any legitimate lineal descendant, is 2 per cent when the amount exceeds the sum of $100,000 and 1 per cent when the amount is $100,000 or less, except that this tax is not charged against property of the value of $20,000 or less. Passing to any uncle, aunt, niece, nephew, or lineal descendant thereof, 4 per cent when the amount exceeds the sum of $20,000 and 2 per cent when the amount is $20,000 or less, except that property to the value of $2,000 is not liable for this tax. In all other cases the rate is 10 per cent when the amount passing exceeds the sum of $100,000, 6 per cent when the amount is over $50,000 and not over $100,000, 5 per cent when the amount is over $20,000 and not over $50,000, 4 per cent when the amount is over $10,000 and not over $20,000, and 3 per cent when the amount is $10,000 or less, except that property to the value of $500 is not liable to this tax.

Property passing for religious, educational, or charitable purposes is exempt from the tax. The tax is collected by the county treasurer and is for the benefit of the state.

Taxes are due and payable at the death of the decedent, and if not paid within six months after death of decedent interest is charged at rate of 6 per cent until paid. A discount of 5 per cent is allowed if the tax is paid within six months. The tax is a lien on the estate until paid.

D. CORPORATION TAXES.

Corporations are, for the most part, taxed under the general property tax. The slight differences in the method of assessment applied to corporate property have been described above. In the following cases the principles of the general property tax are departed from:

(1) The Illinois Central Railroad pays 7 per cent on its gross earnings, made up as follows: Five per cent on gross earnings paid semi-annually; a tax not to exceed three-fourths of 1 per cent on assessed valuation of property; enough more to bring the total up to 7 per cent of gross earnings. This tax is paid to the state.

The payments of this corporation represent a return for the lands granted and other special privileges obtained by the road as well as a tax in the usual sense of the term.

(2) All burglary and casualty insurance companies, domestic and foreign, doing business in the state on the mutual plan are required to pay 2 per cent on cash collected as premiums from policy holders residing in Illinois in lieu of other municipal or state taxes.

(3) For the maintenance of the office of state fire marshal all fire insurance companies doing business in the state shall pay a tax of one-fourth of 1 per cent on the gross receipts of such company on business done in the state.

E. BUSINESS TAXES, LICENSES, AND FEES.

(Annual unless otherwise stated.)

To practice architecture, examination fee, $15; license, $25 until revoked; renewed annually before August 1, at $5 and at any later date, $10. Itinerant vendor of merchandise, $25. Employment agencies: In cities of 50,000 inhabitants or over, $50; in cities of less than 50,000 inhabitants, $25. Hunter's license, resident, 75 cents; nonresident, $25. Motorcycle, $2. Automobile, 25 horsepower and less, $4; 26 to 35 horsepower, $6; 36 to 50 horsepower, $8; 50 horsepower or more, $10; electric, $5. Chauffeur's license, $5; renewals, $3. Milk and cream tester, 50 cents. License to fish—for each dip net, resident, 25 cents; nonresident, $1; for each 100 yards of trammel net or less, resident, $1.25; nonresident, $5; for each 100 yards of seine or less, resident, $5; nonresident, $10; for each sailboat or rowboat using gill or pound nets, resident, $10; nonresident, $30; for gasoline launch, resident, $15; nonresident, $50; for steam tug, resident, $25; nonresident, $200; to fish with hook and line, nonresident, $1. Agents to procure fire policies in unauthorized companies, $200; in counties having less than 100,000 inhabitants, $25. To operate ferry, term of license not over 10 years, $5 to $300. To practice dentistry, $5. Itinerant vendor of drugs, $100 per month. Manufacturer or agent selling commercial fertilizer, $20. Embalmers, $1. Commission merchants, $25.

Pharmacist—certificate, $5; registration, $10; apprentice registration, $2. Practice of dental surgery, examination fee, $20. Embalmer's examination fee, $5. Practice of medicine—examination fee, $10; certificate, $5. Midwifery—examination, $5; certificate, $3. Teacher's certificate, $1.

Casualty insurance companies—application for certificate of authority, $30; filing annual statement, $10; certificate of authority for agent, $2. Copy of papers filed in office of superintendent of insurance, 20 cents per folio; seal on same, $1.

Filing articles of incorporation with secretary of state, capital up to $2,500, $30; $2,500 to $5,000, $50; over $5,000, $50, and $1 for each $1,000 additional; increase of capital stock, $1 for each $1,000 increase, but to be not less than $50, when increase is more than $2,500; for filing certificate of increase, $1; corporations not organized for profit, $10; commission of notary public, $2.

Foreign building and loan associations—filing application to do business in the state, $50; for each certificate of authority and annual renewal of same, $25.

Fraternal insurance associations already organized, $5; to become incorporated, $10.

Burial insurance companies.—Filing fee, $5.

Foreign corporations to do business in the state, $100.

State banks are required to pay the bank examiner $10 per day and 25 cents mileage, and also $5 for filing the quarterly report.

Savings banks pay an organization fee of $5, and if their funds exceed $100,000 their proportional assessment to sustain the banking department.

Public accountants, examination and certificate, $25.

Examination in veterinary medicine and surgery—examination fee, $20; license fee, $5; county registration, 25 cents.

Registered nurses.—Registration and recording, $1.25.

Stallion registration board.—Examination and enrollment of pedigree, $2; annual license, each stallion, $1; transfer of certificate of enrollment, 50 cents.

Certificate of registration of barbers, $1; examination fee to new barbers, $3.

Accident insurance companies.—Filing application and charter, $20; annual statement, $10 in lieu of other fees, whether state, county, or municipal, except the fees for any service or act of the auditor, which are the same as provided in the case of life insurance companies.

Accident insurance companies on assessment plan.—To amend articles of incorporation so as to insure against disability from sickness or death and to provide a funeral benefit, $10 to insurance commission, and $4 to secretary of state.

Insurance.—Guaranteeing titles to real estate by corporations—same fees as for casualty companies, except that copies of papers filed in the office are charged at rate of 25 cents per folio.

F. THE INCOME TAX.

There is no income tax in Illinois.

COUNTY REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included is the same for the county tax as for the state. The taxes are extended upon the valuation ascertained by the equalization and assessment of property by the county board of review, and all property originally assessed by the state board of equalization.

2. *Rate*—

The county board of the respective counties determines the amount to be raised for all county purposes, which is limited by the constitution to not exceed 75 cents on each $100 valuation of property, except for indebtedness existing at the time of the adoption of the state constitution, unless otherwise authorized by vote of the county.

3. *Collection*—

Collection is made in general as of state taxes by the town collectors, who make settlement with the county collectors.

B, C, AND D. POLL, INHERITANCE, AND CORPORATION TAXES.

There are no county poll, inheritance, or corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

Dogs, $1. (In counties not under township organization license fees are paid into county treasury; in counties under township organization the tax is turned over to the supervisor of the town.)

County boards in counties under township organization, and county commissioners in others, may issue licenses for the sale of liquor at not less than $500 per annum; malt liquor only, $150 per annum, but not to be granted to any dramshop within two miles of any incorporated city, town, or village.

These licenses become a part of the general revenue of the county.

The following county officials are required to pay over to the county treasurer the fees of their offices: Clerks of circuit court, recorder of deeds, county clerk, sheriff, and masters in chancery.

MUNICIPAL REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the method of assessment and of equalization are as described under the state and county taxes.

2. *Rate*—

The proper authorities of towns, townships, districts, and incorporated cities, towns, and villages certify to the county clerk the amounts to be raised by taxation, and such clerk determines the rate per cent upon the valuation that will produce the net amount. The rate is not to exceed 60 cents on the $100 valuation of property situated therein, exclusive of school taxes and the interest on bonded indebtedness.

Cities having a population of less than 100,000 inhabitants may levy a tax of 3 mills on the dollar for the maintenance of a nonsectarian hospital therein. This tax not included in limit in cities of 1,500 inhabitants or over.

A tax for the maintenance and improvement of public parks may be levied by special assessment on the property within the park district.

The city council of incorporated cities may levy not to exceed 1.2 mills on the dollar for maintenance of a city library. In cities of 100,000 inhabitants or over the tax shall not exceed 6 cents on $100 valuation of property within such city. This tax is not included in limit in cities of over 2,000 inhabitants.

3. *Collection*—

Collection is in general the same as for state taxes.

B. POLL TAXES.

There is no poll tax for municipal purposes.

C. THE INHERITANCE TAX.

Municipalities do not share in the inheritance tax.

D. CORPORATION TAXES.

Foreign fire insurance companies are to pay, for the benefit of organized fire departments, not to exceed 2 per cent of the gross receipts received by their agency in any city, town, or village.

E. BUSINESS TAXES, LICENSES, AND FEES.

The city council in cities and the president and board of trustees in villages and incorporated towns are given authority to license all business and occupations in general, including liquor licenses.

Liquor licenses are to be not less than $500 per annum; malt liquors only, $150 per annum.

School Revenues.

Cities, villages, and school districts have authority to levy a tax for school purposes.

The common school fund of the state consists of the proceeds of a 2-mill tax levied annually, the interest on the school fund proper, being 3 per cent upon the proceeds of the sales of public land, and the interest on the surplus revenue fund. This fund is apportioned to each county in proportion to the number of children.

The township and county school fund consists of the interest on the proceeds of the sale of the sixteenth section of common school lands.

A tax of 1 mill on the dollar of all taxable property in the state is levied for the support of the University of Illinois.

All fines, forfeitures, and penalties imposed or incurred in any of the courts of record or before any justice of the peace, except fines, forfeitures, and penalties incurred or imposed in incorporated towns or cities for the violation of the by-laws or ordinances thereof, are paid to the county superintendent of schools of the county wherein such fines have been imposed.

Road Revenues.

Counties under township organization.—The highway commission of each town or road district may levy taxes not to exceed 61 cents on the $100 valuation of all taxable property in the town and a poll tax of not less than $1 nor more than $2 on the able-bodied citizens of the town between the ages of 21 and 50 years, except paupers, idiots, and lunatics.

Counties not under township organization.—The board of county commissioners may levy not to exceed 30 cents on $100 valuation of all taxable property in the county and a poll tax of not less than $1 nor more than $5. (This tax is not included in the constitutional limit for county purposes.) District road commissioners may levy not to exceed 30 cents on $100 valuation of all taxable property in the district and a poll tax of not less than $1 nor more than $5.

All the above taxes are for road and bridge purposes and may, in general, be paid by the "labor system," if so decided, by submitting the matter to a vote of the electors of each town or road district.

Legislation affecting revenue laws: 1913.

There was added to property exempt from taxation all market houses used exclusively for public purposes and all works, machinery, and fixtures of drainage districts when used exclusively for pumping water from the ditches and drains of such districts for drainage purposes.

A public utilities commission was established with power to determine the valuation of property of all public utilities.

Incorporated cities of less than 50,000 inhabitants were empowered to levy a tax not to exceed 3 mills for park purposes.

Cities, villages, and incorporated towns subject to overflow or inundation were authorized to levy a tax not to exceed 1 per cent for levee purposes.

Examination fee for registered nurses, $10; registration fee for registered nurses from other states, $10.

INDIANA.[1]

Indiana depends mainly upon the general property tax. This tax has substantially the same form as in other states; but there are radical differences in the administration which distinguish the so-called "Indiana system" from that of other states. These distinguishing features are: (1) A state tax commission, with full directive and supervisory powers over the local assessors; (2) a county assessor in each county, responsible to the tax commissioners, exercising supervisory authority over the township assessors and with power to make assessments where the local assessors fail to do so; (3) a regular system of conferences, at which assessment officers agree upon the policy to be followed.

The provisions of the law are minute and detailed in the extreme, and it is in the attention to detail rather than in difference in principle that the characteristics of the system are to be found. But these details do not lend themselves to classification and can not be shown in the following abstracts.

Another feature of the Indiana system is that it places the collection of all taxes—state, county, and municipal—in the hands of one person, the county treasurer, thus bringing all the taxes levied on one person together as one bill.

[1] This compilation is derived mainly from the following sources:
Laws relating to the assessment of Property for Taxation. Issued by the state board of tax commissioners. Prepared by James Bingham, attorney general of Indiana, Indianapolis, 1907.
Annotated Indiana Statutes, 1908.
Indiana Statutes relating to Taxation, 1909, issued by state board of accounts.
Acts of State Legislature, 1909–1913.

Constitutional provisions.

Article IV.

Sec. 22 (§ 118). The general assembly shall not pass local or special laws for the assessment and collection of taxes for state, county, township, or road purposes.

Article X.

Sec. 1 (§ 193). The general assembly shall provide, by law, for a uniform and equal rate of assessment and taxation; and shall prescribe such regulations as shall secure a just valuation for taxation of all property, both real and personal, excepting such only, for municipal, educational, literary, scientific, religious, or charitable purposes, as may be specially exempted by law.

Officers.

The officers most directly concerned with taxation are:

(1) The township assessors, one in each township, elected every four years.

(2) The county assessors, one in each county, elected every four years.

(3) The county auditors, one in each county, elected every four years.

(4) The county board of review, composed in each county of the county assessor, county auditor, and county treasurer, and two freeholders, to be appointed by the judge of the circuit court.

(5) The county treasurers are county tax collectors, and are elected for two years.

(6) The state board of tax commissioners, three persons, appointed by the governor for a term of four years, together with the secretary of state and the auditor of state, the last two of whom shall be ex officio members.

N. B.—The assessments made by township assessors serve also as city assessments.

State Revenues.

A. General property taxes.

1. *Base—*

a. The property included and exempt.—All property within the jurisdiction of the state not expressly exempted is subject to taxation. Property is classified for purposes of taxation as follows:

(1) Real property, which includes all land within the state, and all buildings and fixtures; "railroad track," including the right of way, stations, and improvements, except machinery, stationary engines, and other fixtures, which are considered personal property. Possessory claims are treated as personal property.

(2) Personal property, which includes all goods and chattels within the state; all ships and vessels at home or abroad owned in the state; all goods, etc., outside the state but owned by the inhabitants, except property permanently invested in another state; all credits less debts; all shares in corporations, not exempt, unless the corporation is itself taxed on all its property; shares in national banks, less the value of real estate taxed to the bank; all shares in foreign corporations except national banks; all moneys; all annuities and royalties; all interests owned by individuals in lands the fee of which is in the United States; railroad rolling stock; franchises granted by the law of the state and used by any person or corporation; the mains, pipes, and wires of gas, electric light, and waterworks companies.

(3) Exemptions from taxation include the personal and real property of every manual labor school or college incorporated in the state, such real estate not to exceed 320 acres; every building used for educational, literary, scientific, or charitable purposes and the land thereof not exceeding 40 acres; free dispensaries of charitable associations; also the personal property, endowment, and income belonging to any such institution; churches and cemeteries; state, municipal, and highway bonds, mortgages and bonds of the state board of agriculture; funds of and property exclusively occupied by fraternal beneficiary associations; property of the Y. M. C. A. and Y. W. C. A.; personal property and one acre of land of any college Greek letter fraternity; property, other than real, of building and loan associations as such. Household goods to value of $100, although not exempt, can not be sold for delinquent taxes.

b. Assessment.—In general, there is but one assessment for the property tax for state, county, and municipal purposes. Most property is assessed by the township assessors, who work under the immediate supervision of the county assessors, who have power to list property omitted, and the county assessors in turn are under the direction of the state board of tax commissioners.

In general, property is assessed on the basis of sworn statements returned to the assessors by the taxpayers, but the property of railroad, telegraph, and certain other corporations is assessed by the state board of tax commissioners, and the amount is apportioned among the counties in which the property is situated. Very heavy penalties, ranging from $10 to $5,000, or six months in jail and 50 per cent increased assessment, are provided for returning false lists or for refusal to swear to lists.

Real estate is assessed but once every four years, the last assessments being in 1907 and 1911, and the assessment is revised annually for improvements and other changes. All other property is assessed annually. The assessment refers to the 1st of March.

Personal property is generally assessed where actually located, and not where the owner resides.

Land is to be valued by the assessor at the price it would bring at private sale, and not at a forced or sheriff sale. The same rule applies to personal property.

Mortgaged real estate is assessed to the mortgagor at full value, except that the owner may deduct from such value the amount of any mortgage not exceeding $700 nor exceeding one-half the assessed value of the property, provided he reports the name and address of the mortgagee, who is then taxed upon the mortgage.

While all interests in lands the fee to which is still in the state or the United States are to be assessed as personal property, lands sold by the state and not conveyed are to be taxed as if conveyed.

Private bankers and brokers are assessed upon their real estate and the excess of their credits over their debts and deposits.

State and national banks, except savings banks, are assessed upon their real estate, only the shares being taxable at market value, or, if there is no market value, at book value, less the value of the real estate. The assessment is made to the shareholders at the place where the bank is located, and the bank officers are required to furnish the names and residences of the stockholders.

Corporations in general, except as shown below, are assessed the same as individuals on all corporate property, including corporate stock and franchises. Corporate taxation is thus a part of the general property tax system of the state. Shares in corporations, all the property of which is taxable, are not assessed to the shareholder. Every franchise is to be listed and assessed as personal property. The county board of review values and assesses the capital stock and all franchises and privileges of domestic corporations, including savings banks, unless otherwise provided. The capital stock is listed for taxation at its excess of value over franchises and tangible property.

Railroad property, including street railroad property, denominated railroad track and improvements thereon, and rolling stock, and all property belonging to telegraph and telephone companies, to express companies, to sleeping car companies (sleeping cars being defined to include palace, drawing-room, sleeping, chair and dining cars); and to oil or gas pipe line companies, are assessed by the state board of tax commissioners on the basis of the market value of the stock and bonds, less the value of real estate and tangible personalty taxed locally, and the assessment so made is apportioned on a mileage basis to the assessment districts in which the property is located.

c. Equalization.—The county board of review annually equalizes the valuation of real and personal property assessed in each county. The board passes upon each individual valuation, hears complaints, and revises the assessment list. It also equalizes as between townships or divisions of townships and deter-

mines a rate per cent to be added to or deducted from the various classes of property throughout the township. If necessary, the board may set aside the assessment of the whole county and order a new one, but it has no power to depart from the true cash value in fixing assessments.

A feature of equalization in practice is the annual meeting of the county assessors of the state, called by the state board of tax commissioners for purposes of conference.

The state board of tax commissioners hears appeals from the county boards of review. It equalizes its own assessments of railroad property. In the years that real estate is assessed it equalizes real property assessments. It also equalizes the assessment lists between the several counties, adding or deducting a rate per cent according to classes of property considered separately.

The state board of tax commissioners also has certain powers which work effectual equalization, though not so called. It has powers of supervision and examination over the county and township assessors. Each county is to be visited once in each year by the state board.

2. *Rate—*

The rate for state taxation, expressed in cents upon each $100 valuation for state expenditures, is fixed by the legislature.

3. *Collection—*

All taxes on property, whether for state, county, school, road, or other purposes, are collected by the county treasurer. One-half the taxes, including all the road tax, is to be paid on or before the first Monday in May, the remainder by the first Monday in November. Taxes become a lien on all real estate from the 1st of March, and continue for 10 years, and such lien is a state lien and is for all taxes, state, county, school, road, or township.

The penalty for delinquency in the payment of any installment of taxes is an addition of 10 per cent and a further penalty of 6 per cent if not paid before the next installment is due.

If not paid on January 1 after two years from the beginning of such delinquency, the taxes bear interest at 6 per cent in addition to former penalties for delinquency.

B. POLL TAXES.

The poll tax is assessed on every male inhabitant of the state between the ages of 21 and 50 years, except officers and enlisted men of the active militia, and such persons as the board of county commissioners may deem unable to pay it. Every person is listed for his poll tax in the county of his residence. The amount to be charged on each poll is fixed by the general assembly for state purposes and for schools. Collection is made by the county treasurer.

C. THE INHERITANCE TAX.

There is no inheritance tax. The property of the decedent's estate in the hands of the administrator or executor is subject to the general property tax, and penalties are imposed on such officer personally for delinquency. The administrator or executor is also liable for back taxes unpaid during the life of decedent.

In the case of a legacy to any literary, scientific, or charitable institution, that portion of the estate is exempt.

D. CORPORATION TAXES.

All corporations are taxed under the general property tax.

Foreign insurance companies pay a tax of $3 on each $100 excess of premiums received over losses paid in the state. (This is an exception to the system of the state.)

In addition to the general property tax domestic corporations are also taxed upon the excess of the cash value of their capital stock over the assessed value of their property.

Foreign bridge companies are taxed on their gross earnings as well as on property.

Navigation companies organized under the laws of the state pay a tax of 3 cents per net ton of the registered tonnage of all vessels owned by such companies. In addition to this tonnage tax such companies are taxed on all personal property except vessels and other tangible property outside the state. All ships registered under the navigation laws of the United States at any port in Indiana are taxed 3 cents per net ton of registered tonnage.

Joint stock associations, companies engaged in carrying freight under contract with railroad companies, copartnerships, or associations pay to the state a sum in the nature of an excise tax equal to 1 per cent of the amount fixed by the state board of tax commissioners as the value of the proportion of the capital stock representing the capital and property of the company in Indiana after deducting the value of the real estate of such company in Indiana assessed and taxed locally.

E. BUSINESS TAXES, LICENSES, AND FEES.

These are collected by the county treasurer mainly for the benefit of the state school fund.—To keep a ferry, $2 to $50; in each county from traveling merchants and peddlers not residents and selling foreign merchandise when capital is not over $1,000, $5; capital, $1,000 to $2,000, $7.50; capital, $2,000 to $5,000, $10; capital over $5,000, $20. (Peddlers of tea and coffee are exempt.) Soldiers and sailors are given a license for the payment of a fee. Brokers, per annum, $100. The secretary of state is authorized to issue a license of $500 per annum to sell prison-made goods.

Fees are payable to state officials as follows:

For a commission to a notary public, $1; for a commission to a commissioner of deeds, $5; for each attestation and seal, not exempted, 50 cents; for filing and recording each article, charter, etc., not exceeding 200 words, $1; for filing, etc., articles of incorporation where the capital stock is $10,000 or less, $10; where the capital stock exceeds $10,000, $10 and one-tenth of 1 per cent of the capital stock in excess of $10,000. For an increase of capital stock or the merging of two or more companies, the fees are the same as for filing original papers. Mutual insurance companies' charters, $25; religious and other corporations' charters, $5; building and loan associations, where the stock is $50,000 or less, $10; where the stock is more than $50,000, $10 and one twenty-fifth of 1 per cent of the capital stock in excess of $50,000. For a reduction of capital stock, $5; for a decree of court changing name of a corporation, $5; for amendments to charter, 20 cents per hundred words, but not less than $5; for filing a certificate of extension of line, change of termini, etc., by railroad company, 20 cents per hundred words, but not less than $5; for extension of purpose or change of domicile, $5. For filing certificate of incorporation of insurance company other than live stock, $2; live stock, $10; filing articles of incorporation of a mutual live stock association, $15, and $5 for each additional county taken in thereafter; for filing the certificate of a corporation organized for the perpetuation of the memory of soldiers and sailors, $1; for filing articles of a foreign corporation, for the first $10,000 or less of that portion of its capital stock represented by its property and business in the state, $25; over $10,000, the same as incorporating fees required of domestic corporations. For any other certificate not enumerated above, 20 cents per hundred words, but not less than $5.

For examination of the statement of an insurance company, $5; for filing a statement of subscription to a live stock insurance company, $10; for life insurance agents' annual license, $1; for filing bond as a bank officer, $1.

Examining domestic building and loan associations, having assets less than $25,000, $5; over $25,000 and less than $50,000, $7.50; over $50,000 and less than $100,000, $10; each additional $100,000, $5. Examining banks, loan and trust and safe deposit companies having assets of less than $100,000, $15; $100,000 to $200,000, $20; $200,000 to $500,000, $25; $500,000 to $700,000, $30; $700,000 to $1,000,000, $35; and $2 additional for each $100,000 until assets reach $3,000,000, and $1 for each $100,000 in excess of $3,000,000.

For a dental examination, $20; for reexamination, $10; for license fee, 50 cents. For a pharmacist examination, $5; for reregistration, $2; for registration by certificate from another state, $15; the fees for assistant pharmacist for the same services, respectively, are as follows: $3, $1, and $5. For an applicant with a satisfactory diploma, to practice medicine, $10; where an examination is required, $25; license fee, 50 cents. For an employment agency license, $25; fee for plugging a gas well, $5; license for operating a cold storage plant, $10 annually. Examination fee for the practice of veterinary surgery, $10; license to practice, $5. For the inspection of the business of a person, firm, or corporation, employing five persons or more, $1 annually. For certificate to qualify as a miner, $1. License fee to a nonresident for the privilege to fish in the state, $1.

F. THE INCOME TAX.

There is no income tax in Indiana.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property subject to taxation and the methods of assessment and of equalization are substantially the same for county as for state taxation.

2. *Rate—*

The rate is determined by the county council. There are various limits, the most general one being 33 cents per $100 of assessed valuation, but extra rates are allowed under varying circumstances.

The county commissioners may levy annually for repairing roads a tax of not more than 1 cent upon each $100 of property for every 10 miles of free gravel road maintained by them; but where less than 50 miles of such roads are maintained they may levy not to exceed 3 cents on each $100 worth for every 10 miles of road. The township advisory board levies an annual road tax of not more than 30 cents on each $100 worth of property, which may be worked out at the rate of $1.50 per man each day.

3. *Collection—*

Substantially the same as for state taxes.

B. POLL TAXES.

The amount to be charged on each poll for county expenditures is determined by the county council.

D. CORPORATION TAXES.

Counties do not share in corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

Counties are authorized to grant a number of licenses and to charge therefor the following fees:

Expositions and shows, for each performance, $5 to $25. The above goes to the county or district agricultural association fund. To keep a stallion, per annum, 50 cents. Retail liquor license, $200. Wholesale liquor license, $200, $100 of which goes to the tuition fund of the county and $100 to the city or town where located.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the method of assessment and of equalization are substantially the same for municipal purposes as for state and county.

2. *Rate—*

The rate is determined by municipal legislative authorities. The common council may levy a tax for city purposes not to exceed in the aggregate 75 cents in cities of the first class, and $1.25 in all other cities: upon the $100 valuation: *Provided*, That in any city against which a judgment has been entered or which has an indebtedness, such additional levy may be made as is necessary for the gradual payment of such judgment or bonds. In cities of the first class additional special taxes for common schools, sinking funds, public parks, police or firemen's pension fund, etc., are allowed. For school districts the maximum rate is 67 cents on $100. Firemen are exempt from city taxes on real and personal property to the extent of $500.

Town trustees may levy and collect an annual tax not exceeding 25 cents on the $100 valuation for improving the roads and streets.

3. *Collection—*

Municipal taxes are generally collected by the county treasurer in substantially the same manner as state and county taxes. In cities which are not county seats the city council may authorize the city treasurer to collect municipal taxes.

B. POLL TAXES.

Cities may levy a poll tax of not to exceed $1. Firemen are exempt.

D. CORPORATION TAXES.

Municipalities do not share in corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

Cities and towns may license pawnbrokers, per annum, $10 to $100; merchants and peddlers, same rate as county, and in addition thereto; liquor license, in addition to county license—

Cities or incorporated towns, $50 to $500.

They may also license auctions, hacks, drays, all tables, alleys, machines, devices, and places for sports or games kept for pay.

School Revenues.

The state must levy a tax of 13.6 cents per $100 of assessed valuation and 50 cents on polls.

There shall be levied 2¾ cents per $100 of assessed valuation in the state for the use and benefit of state institutions of higher education.

Townships, towns, and cities may levy a special tax for equipment, etc., not to exceed 50 cents per $100 of assessed valuation, and $1 poll.

The proceeds of the sale of public lands form a permanent school fund, the interest only being paid to the current school fund.

Townships, towns, and cities may levy a tax not to exceed 50 cents per $100 of assessed valuation and 25 cents on each taxable poll for a supplementary tuition fund to extend school terms.

Cities having a population of over 6,000 may levy a tax of 1 cent per $100 of assessed valuation for free kindergarten schools.

Cities of the first class may levy a tax not to exceed 5 cents per $100 of assessed valuation for industrial or manual training schools. In cities of over 50,000 and less than 100,000 population this tax is limited to 10 cents per $100.

Townships, towns, and cities may levy a tax not to exceed 10 cents per $100 of assessed valuation for the support of schools for truants and incorrigibles.

Legislation affecting revenue laws: 1913.

The following inheritance tax law was passed. This was the most important enactment of the 1913 legislature.

A tax is imposed upon the transfer of property within the state or of any interest therein or income therefrom, in the following cases:

1. Transfer by will or intestate laws of this state of any intangible property or of tangible property within the state, from persons dying seized thereof while a resident of the state.

2. Transfer of tangible property within the state when decedent was a nonresident of the state at the time of his death.

3. Whenever the property of a resident decedent or the property of a nonresident decedent within this state transferred by will is not specifically devised, such property shall, for the purpose of this article, be deemed to be transferred proportionately to and divided pro rata among all the legatees named in the will.

4. Transfer of property within the state made by a resident, or of tangible property within the state made by a nonresident, by deed, grant, bargain, sale, or gift, made in contemplation of death of the grantor, intended to take effect after such death.

5. When any such person or corporation becomes beneficially entitled in possession or expectancy to any property or income therefrom by any such transfer, whether made before or after the passage of this act.

6. When any person or corporation shall exercise the power of appointment derived from any disposition of property made either before or after the passage of this act, such appointment when made, shall be deemed a transfer taxable under the provisions of this act in the same manner as though the property to which such appointment relates belonged absolutely to the donee of such power and had been bequeathed or devised by such donee by will.

7. The tax imposed hereby shall be upon the clear market value.

Exemptions.—Any property devised or bequeathed for strictly county, town, or municipal purposes, or to the bishop, rector, pastor, trustee, board of trustees, or governing body of any educational or religious institution who shall use the property so transferred solely for religious, charitable, or educational purposes, within the state, and corporations of this state organized under its laws solely for religious, charitable, or educational purposes, which shall use the property so transferred exclusively for the purposes of their organization within the state is exempt from this tax.

When the property or any beneficial interest therein passes by any such transfer, where the amount of property exceeds in value the exemption hereinafter specified, and shall not exceed in value $25,000, the tax hereby imposed shall be:

Passing to the husband, wife, lineal issue, lineal ancestor of the decedent, or any child adopted as such in conformity with the laws of this state at least 10 years prior to such transfer, or any child to whom such decedent for not less than 10 years prior to such transfer stood in the mutually acknowledged relation of a parent, provided such relationship began at or before the child's fifteenth birthday, and was continuous for 10 years thereafter, or any lineal issue of such adopted or mutually acknowledged child, at the rate of 1 per cent of the clear market value thereof. Property of the clear market value of $10,000 transferred to the widow of decedent and of $2,000 transferred to each of the other persons described is exempt.

Passing to a brother or sister or a descendant of a brother or sister of the decedent, the wife or widow of a son, or the husband of a daughter of the decedent, at the rate of 1½ per cent of the clear market value. Property of the clear market value of $500 passing to each of this class is exempt.

Passing to the brother or sister of the father or mother or a descendant of a brother or sister of the father or mother of the decedent, at the rate of 3 per cent of the clear market value. Property of the clear market value of $250 passing to each of this class is exempt.

Passing to the brother or sister of the grandfather or grandmother or a descendant of the brother or sister of the grandfather or grandmother of the decedent, at the rate of 4 per cent of the clear market value. Property of the clear market value of $150 passing to each of this class is exempt.

Passing to a person in any other degree of collateral consanguinity than is hereinbefore stated, or to a stranger in blood, or a body politic or corporate, at the rate of 5 per cent of the clear market value. Property of the clear market value of $100 passing to each of this class is exempt.

The foregoing rates are termed the primary rates. When the market value of such property or interest exceeds $25,000, the rates of the tax upon such excess shall be as follows:

1. Upon all in excess of $25,000 and up to $50,000, one and a half times the primary rates.

2. Upon all in excess of $50,000 and up to $100,000, two times the primary rates.

3. Upon all in excess of $100,000 and up to $500,000, two and a half times the primary rates.

4. Upon all in excess of $500,000, three times the primary rates.

The tax is a lien upon the property transferred, and the administrators, executors, and trustees shall be personally liable for such tax until its payment.

All taxes imposed by this act shall be due and payable at the time of the transfer. If such tax is paid within one year from the accruing thereof, a discount of 5 per cent shall be allowed and deducted therefrom. If not paid within 18 months from the accruing thereof, interest at the rate of 10 per cent shall be charged and collected from the time said tax accrued, unless in the judgment of the court the delay was unavoidable, in which case interest at the rate of 6 per cent shall be charged from the accrual thereof until the cause of such delay is removed, after which 10 per cent shall be charged.

All taxes levied and collected under this act, less any expenses of collection, shall be paid into the treasury of the state and shall be applicable to the expenses of the state government and to such other purposes as the legislature may by law direct.

Further enactments were, that in cities of the first class a tax is to be levied annually of 1 mill for the purposes of the city board of health; money-lenders pay an annual license of $50; private detective firms or corporations pay an annual license of $150; individual private detectives, $100; the license and registration of motor vehicles was changed so that the rate is from $5 to $20, according to horsepower.

IOWA.[1]

Iowa depends almost entirely upon the general property tax for state, county, and municipal revenues. There is an inheritance tax, but no special corporation taxes, except on foreign insurance companies. Corporations generally are assessed by local assessors. A few are assessed on their property by the state executive council. Changes of late years have been from taxes on gross revenue to those on property.

Constitutional provisions.

Article III.

Sec. 30. The general assembly shall not pass local or special laws for the assessment and collection of taxes for state, county, or road purposes.

Article VIII.

Sec. 2. The property of all corporations for pecuniary profit shall be subject to taxation the same as that of individuals.

Officers.

The officers most directly concerned with taxation are:

(1) The township and city assessors, elected biennially, one in each township and city.

(2) The township trustees and city councils, which act as boards of review.

(3) The county boards of supervisors, which act as county boards of review and equalization.

(4) The county treasurers, who are the tax collectors.

(5) The state executive council, composed of the governor, secretary, auditor, and treasurer of state, which constitutes the state board of review, and acts as a state board of equalization, and also as an assessment board for certain classes of property.

State Revenues.

A. General property taxes.

1. *Base—*

a. The property included and exempt.—All real and personal property not specifically exempt is subject to this tax.

(1) and (2) There are no special definitions of real and personal property for purposes of taxation. Ferry franchises and toll bridges are defined as real estate.

Mortgages are taxable, and no deduction is allowed on that account from the assessed value of the land.

Credits, moneys, annuities, bank notes, and shares of stock, in corporations not otherwise taxed, are all taxable.

Debts may be deducted from the total of moneys and credits.

(3) The exemptions, in addition to public property, are: Cemeteries, crematoriums, so long as no profits are derived therefrom, with land not to exceed 1 acre; fire engines, etc., with houses and grounds; grounds and buildings for public libraries, for literary, scientific, charitable, benevolent, agricultural, and religious institutions and societies, real estate owned by any educational institution as a part of its endowment fund, not exceeding 160 acres, not leased or otherwise used with a view to pecuniary gain, together with books, papers and apparatus, and like property of students; personal property and investments of such institutions; farm produce and wool of the harvest or shearing of previous year; all poultry, 10 stands of bees, all swine and sheep under 6 months of age and all other domestic animals under 1 year; obligations for rent not yet due, in hands of original payees; private libraries and professional libraries up to $300; family pictures; household furniture to $300, and kitchen furniture; family beds and bedding; all wearing apparel in use; all food provided for the family; estates of persons who, by reason of age or infirmity are unable to contribute; farming utensils of the farmer, the team, wagon, and harness of teamsters and draymen, and tools of a mechanic, all up to $300; motor vehicles; mortgages held by nonresidents; Government land entered and purchased, for the year in which entered; unless waiver thereof is voluntarily made, $1,200 of the property of any honorably discharged Union soldier or sailor of the Mexican War, or of the War of the Rebellion, or the widow thereof remaining unmarried; any portion of the capital of a bank which is invested in United States bonds; funds held by fraternal beneficiary associations.

Until 1917 sugar mills manufacturing sugar from beets raised in Iowa, with machinery, tools, and appliances, and not to exceed 10 acres of land are to be exempt.

In the assessment of farm lands a reduction that is called an exemption is made from the valuation of the farms equal and proportionate to the area of roads adjacent to such lands.

b. Assessment.—All property subject to taxation is required to be listed at its actual value, which is defined as "the value in the market in the ordinary course of trade." The property is then assessed for taxation at 25 per cent of such actual value except that:

Moneys, credits and corporation shares or stocks, except as otherwise provided, cash, circulating notes of national banking associations, and United States legal tender notes, and other notes, and certificates of the United States payable on demand, and circulating, or intended to circulate as currency, notes, including those secured by mortgage, accounts, contracts for cash or labor, bills of exchange, judgments, choses in action, liens of any kind, securities, debentures, bonds other than those of the United States, annuities, and corporation shares or stocks not otherwise taxed in kind shall be entered and assessed at the actual value thereof and taxed upon the uniform basis throughout the state of five (5) mills on the dollar of actual valuation, same to be assessed and collected where the owner resides, and except that:

State, savings, and national bank stock and loans, and trust company stock and moneyed capital used in competition with bank

[1] This compilation is derived mainly from the following sources: Revenue Laws of the State of Iowa, compiled in pursuance of section 1369 of the Code, by B. F. Carroll, auditor of state. Des Moines, B. Murphy, state printer, 1904.
Revenue Laws of the State of Iowa, by John L. Bleakly, auditor of state. Des Moines, Emory H. English, state printer, 1909.
The Code and its Supplements, and the Session Laws to 1913.

capital shall be listed at its actual value and shall be assessed and taxed upon the taxable value of 20 per cent of the actual value thereof.

Shares of stock of national banks and state and savings banks, and loan and trust companies, located in this state, shall be assessed to the individual stockholders at the place where the bank or loan and trust company is located. At the time the assessment is made the officers of national banks and state and savings banks and loan and trust companies shall furnish the assessor with lists of all the stockholders and the number of shares owned by each, and the assessor shall list to each stockholder under the head of corporation stock the total value of such shares. In arriving at the total value of the shares of stock of such corporations, the amount of their capital actually invested in real estate owned by them and in the shares of stock of corporations owning only the real estate (inclusive of leasehold interests, if any), on or in which the bank or trust company is located, shall be deducted from the real value of such shares, and such real estate shall be assessed as other real estate, and the property of such corporation shall not be otherwise assessed.

Real estate is listed only once every two years, in the odd year. In the even-numbered years the assessment roll is corrected by adding the value of the improvements made during the preceding year. Personal property is assessed annually.

Merchants and manufacturers are assessed upon the average amount of stock held during the year.

Grain, ice, and coal dealers are assessed on the average amount of capital used.

When corporations are taxed on their property, the shares of stock are exempt. The excess of the value of the capital stock over the value of the tangible property assessed is taxable to the company. Bank stock is assessed on the basis of capital, surplus, and undivided profits, less the value of real estate, which is assessed separately.

Commission merchants, etc., having in their possession property of a foreigner for sale, are to be deemed the owners thereof for purpose of taxation.

Real estate owned by corporations, returned in statements as part of their assets for purposes of taxation, is to be valued for such assessment as other real estate.

The following items are assessed by the executive council:

Telegraph and telephone companies, by the unit rule; the assessment so made is apportioned on a basis of mileage and taxed as other property.

Railroads—the right of way, roadbed, bridges, culverts, rolling stock, depots, station grounds, shops, buildings, gravel beds, and all other property used exclusively in the operation and maintenance of the railway; but not lands outside, nor the railway bridges across the Mississippi and Missouri Rivers, nor grain elevators, which are assessed by the local assessors. In assessing such property the council takes into consideration the gross earnings, etc., and proceeds generally upon the unit rule. The assessment so made is apportioned among the counties on a mileage basis.

Railways report also the number of cars run by them but belonging to other companies, and these are similarly assessed by the executive council.

Freight lines and equipment companies are assessed by the executive council on the cars necessarily used in their business in the state and are taxed at the average rate of state and local taxation.

Lands, lots, and other real estate belonging to any railway company, not used exclusively in the operation of the several roads, and to telegraph and telephone companies, and railway bridges across the Mississippi and Missouri Rivers, and grain elevators are subject to assessment and taxation on the same basis as property of individuals in the several counties where situated.

Express companies are assessed upon their property, including their shares of stock, by a unit rule, and this assessment is apportioned among the counties and townships on a mileage basis.

The aggregate actual value of moneys and credits of private banks, after deducting amount of deposits and debts, and the aggregate actual value of bonds and stocks, are to be assessed at 25 per cent of such actual value, not including real estate.

Shares of stock of corporations, except those not organized for pecuniary profit, are to be assessed to the owners thereof at the place where its principal business is transacted; the amount of capital actually invested in real estate owned by them is to be deducted from the real value of such shares and the real estate assessed as other real estate.

Water and gas works, electric plants, and street railway property are assessed where same are located; the actual value of the capital stock over and above that of the listed property shall be assessed to the owner thereof.

c. Equalization.—The township trustees act as a local board of review and adjust assessments between individuals; they also hear appeals. Appeals from their decisions lie to the district court.

The board of supervisors of each county constitutes a county board of review and adjusts the assessments between the several townships, cities, and towns of the county. Appeals lie to the district court.

The executive council acts as a state board of review and equalizes the assessments between the several counties, adding to or deducting from the valuation of each kind or class of property, so as to make the assessments equal.

2. *Rate—*

The general assembly fixes the total amount to be raised for state purposes. The executive council annually determines the rate per cent on the valuation of the taxable property necessary to raise the amount fixed by the general assembly (for 1911 and 1912 approximately $2,500,000). The rate so determined is levied by the county boards of supervisors.

Special tax is to be levied annually for 5 years, beginning with year 1912, of one-fifth mill for state college of agriculture and mechanic arts and one-tenth mill for benefit of state teachers' college.

For maintenance and education of destitute orphans a tax of ½ mill may be assessed.

3. *Collection—*

Taxes are collected by the county treasurers, and are payable at any time between the first Monday in January and the 1st day of March; or one-half may be paid before March and the remaining half before the 1st day of September. If at least half is not paid before the 1st day of April, the whole amount becomes delinquent as of March 1. In case the second installment is not paid before the 1st day of October, it becomes delinquent as of the 1st day of September. Delinquent taxes draw interest at 1 per cent a month.

Taxes are a lien on the property on which they are levied, and may be collected by distress and sale.

B. POLL TAXES.

There is no state poll tax.

C. THE INHERITANCE TAX.

All property of whatsoever kind, and any interest in or income from such property which is, at the death of the decedent owner, within this state, or is, or, for the purpose of distribution, becomes subject to the jurisdiction of the courts of this state, or, which, in the case of a resident decedent, was situated outside the state at the time of death, except real estate located outside the state and passing in fee, which shall pass by will, statutes of inheritance, by deed, grant, sale, gift, or transfer made in contemplation of death intended to take effect in possession or enjoyment after the death of the grantor, shall pay a tax of 5 per cent, except that property passing to aliens, nonresidents of the United States, shall be subject to a tax of 20 per cent of its true value; if foreign beneficiaries are brothers or sisters of the decedent owner, the tax shall be 10 per cent.

Exceptions.—When estate does not exceed $1,000 after deducting the debts of decedent defined by the statute; when property passes to husband or wife, father, mother, lineal descendant, adopted child, or the lineal descendant of an adopted child of decedent; when passing to educational and religious societies or institutions, public libraries and art galleries, to or for public hospitals not operated for gain; or to societies within the state organized for public charity; cemetery associations, bequests for the care and maintenance of the cemetery or burial lot of decedent and his family, and bequests not to exceed $500 to or for the performance of a religious service for or in behalf of the decedent or any person named in the will of such decedent; when property passes to a municipal or political corporation within this state for purely public purposes.

In each county the court appoints three resident freeholders annually to appraise the property subject to this tax and may also appoint special appraisers in any given case.

The appraisement of estates in remainder or deferred interests are not made until the determination of the prior estate, except on request of the parties in interest to remove the lien thereon.

The appraised value shall always be the market value in the ordinary course of trade.

The taxable value of annuities, life or term, deferred or future estates, is computed at the rate of 4 per cent per annum of the appraised value of the property in which such estate or interest exists, or is founded.

The tax is paid to the state treasurer by the executors, and is a lien upon the estate until paid. No discount is allowed for prompt payment, but, unless paid within 18 months, interest at the rate of 8 per cent is added from the death of the decedent.

D. CORPORATION TAXES.

In general, corporations are taxed under the general property tax, but a few are assessed by a state board on part of their property. The following, however, are differently taxed:

Insurance companies, other than fraternal, beneficiary, and county mutual companies, are taxed upon their annual gross receipts (less return premiums in the case of fire companies) at the following rates: Foreign companies incorporated or owned outside of the United States, 2½ per cent; foreign companies, United States, 2½ per cent. Domestic fire insurance companies, 1 per cent of their premiums; other domestic insurance companies, 1 per cent in addition to taxes on stock.

E. BUSINESS TAXES, LICENSES, AND FEES.

The statutes authorize the manufacture and sale of intoxicating liquors upon the payment of a so-called mulct tax of $600 per annum, and provides that the revenues derived from this source shall be paid into the county treasury, one-half to be credited to the general county fund and the remainder to be paid over to the municipality in which the business taxed is located.

A tax of $300 per annum on the sale of cigarettes and on the maintenance of property used for immoral purposes is also provided for, to be distributed in the same manner as the liquor tax.

Itinerant physicians, including osteopaths, $250 per annum; itinerant vendors of drugs, $100 per annum; peddlers, per county, on foot, $25; 1-horse conveyance, $50; 2-horse conveyance, $75.

For examination of physicians, $10; for reciprocity fee (registration of certificate from another state), $50.

For examination of pharmacists, $5; annual renewal of certificate, $1; registered pharmacists of other states, $10.

For examination of dentists, $20; license for practitioners from another state, $25; certificate when going to another state, $5.

For filing articles of incorporation, $25, and on each $1,000 over $10,000 capital, $1; increase of capital stock per $1,000, $1; a recording fee of 10 cents per 100 words, minimum recording fee, 50 cents; amendments to articles of incorporation, if no increase of capital, $1; increasing capital, filing fee of $1 per $1,000. (The same fees are required of foreign corporations.) Farmers' mutual cooperative creamery associations conducted on a purely cooperative plan, and corporations manufacturing sugar from beets grown in the state are exempt from the payment of these fees.

All corporations, except banks and insurance companies, organized for pecuniary profit are required to pay an annual fee of $1 to the secretary of state.

Certified copies of census reports, $2.

In addition to the fee required for organization of domestic corporations, foreign corporations are required to pay to the secretary of state a fee of 10 cents per 100 words for recording the copy of incorporation, and a filing fee of $25 upon $10,000 or less of assets within the state and $1 for each $1,000 in excess of $10,000.

Registration fees for motor vehicles are as follows: $8 for machine of 20 horsepower or less; 40 cents per horsepower for each in addition to 20 horsepower. After being licensed four years the fee shall be one-half the original fee. Electric motor vehicle, $15. Motor cycle or bicycle, $3; duplicate registration fee, $1 for motor vehicle. Change of ownership, $1. Dealers' numbers, $15. Eighty-five per cent of such money to be apportioned among the counties. The fees are in lieu of all taxes, general and local.

Insurance company fees: For filing application, etc., domestic companies, $10, foreign companies, $25; for permission to foreign companies, $2; for filing annual statement, etc., domestic companies, $3, foreign companies, $20; for certificate of authority to agent, domestic companies, 50 cents, foreign companies, $2.

Farmers' institutes: Filing and examination of first application of any company and articles of incorporation, and issuing permission to do business, $10; filing application of foreign company, $25; permission of foreign company, $2; annual statement of foreign company, $2; agent of foreign company, $2; agent of domestic

company, 50 cents; copy of papers, 25 cents per folio; affixing seal, $1; certificate for publication of foreign company, 50 cents. Mutual, fire, tornado, and hailstorm assessment insurance associations pay the same fees for annual reports and annual certificates of authority.

Examination of banks: Paid-up capital $25,000, fee $15; $25,000 to $50,000, $25; $50,000 to $100,000, $35; $100,000 to $150,000, $40; over $150,000, $50.

Associations, corporations, etc., except building and loan associations and insurance companies, and associations which issue stock on the partial payment or installment plan shall pay to the auditor of state for certificate of authority to do business, $25; for each annual renewal, $10, and the same fee for examination as is paid by insurance companies.

Examination of stallions, jacks, and pedigreed or registered stock, $1; certificate of transfer, 50 cents.

Fishing license in state boundary rivers: 500 feet of seine, $10; for each pound net having more than 100 feet lead on each side, $4; for each pound net having less than 100 feet lead on each side, $1; bait net, dip net, etc., 50 cents; 300 lineal feet of trammel net, $5.

Registered nurse: Application for examination, $5; if successful, an additional fee of $1 for license; license fee of $10 for one registered in another state.

Maternity hospital: Permit to conduct, $25; inspection of business, $5.

Osteopathy: Examination, $10; registration, 50 cents.

Board of optometry examiners: Examination, $15; fee of exemption, $10.

Inspection of hotels: Twenty rooms or less, $4; over twenty rooms, $8 annually.

Embalming: Examination, $5; license, $1; renewal annually, $1; embalmer registered in another state, which state has similar requirements for qualifications, and recognizes the license of this state as sufficient qualification to practice, license, $10; local registration also required.

Veterinary, medicine, surgery, and dentistry: Examination, $15; registration fee, $5.

State license to sell milk in any municipal corporation other than for manufacturing use, $1. License fee to operate milk tester, $2.50.

School teachers' certificate, $2; diploma, $5; renewal certificate of specified classes, $5 for life certificate.

For aid and support of an institute for training of teachers for rural schools a fee of $1 is to be paid for graduation.

Teachers' certificate for county high school: Examination fee, $1; registration fee, $1.

Inspection of passenger boats on inland waters: Sailboat, $1; steamboats, 20 passengers or less, $5; more than 20 passengers, $10; license of pilot or engineer, $3.

Inspection of nursery stock, not less than $5 and not more than $15, according to amount inspected.

Examination of mine inspector, $2; certificate, $2.

Fee of 10 cents per barrel to be collected by petroleum inspector and paid to secretary of state.

License to hunt: For resident, $1; nonresident, $10.

Fees in settlement of estates: Estate valued at $3,000 or less, $3; between $3,000 and $5,000, $5; $5,000 and $7,000, $8; $7,000 and $10,000, $10; $10,000 and $25,000, $15. For each additional $25,000 or major fraction, the further sum of $10.

F. THE INCOME TAX.

There is no income tax in Iowa.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the method of assessment and of equalization are substantially the same for county as for state taxation.

2. *Rate—*

The county boards of supervisors fix the rates for the several purposes. For ordinary county revenue the rate is limited to not more than 6 mills in counties having a population of less than 20,000; in others not more than 4 mills, unless by popular vote, in which case it is not to exceed 6 mills.

Other levies authorized are:

For the support of common schools, not less than 1 nor more than 3 mills; for bridges, not more than 5 mills (to be levied on property outside of cities of the first class); for relief of United States soldiers, sailors, or marines, 1 mill; for establishment of county hospital, 2 mills; for grading and building roads outside cities or incorporated towns, not to exceed 2 mills; for court expense fund, not to exceed 3 mills; and for support of poor, 2 mills.

3. *Collection—*

County taxes are collected in substantially the same manner as are state taxes.

The board of supervisors has power to remit the taxes in whole or in part for property destroyed by fire, tornado, or other casualty provided the losses are not covered by insurance and that such property has not been sold for taxes or the taxes have not been delinquent for 30 days.

When taxes have become delinquent and the owner of the property has moved into another county, leaving no property behind, out of which such taxes may be made, the amount of taxes due is certified to the treasurer of the county in which the owner resides or has property, and is collected in the same manner as other taxes with an additional penalty of 20 per cent. The taxes so collected are remitted to the original county of levy, but the 20 per cent penalty is retained by the county collecting it.

B. POLL TAXES.

There is a county poll tax of 50 cents on each male resident over 21 years of age.

C. AND D. INHERITANCE AND CORPORATION TAXES.

There are no county inheritance or special corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

The manufacture or sale of intoxicating liquors is regulated under what is known as the "mulct tax" law, by the terms of which $600 is collected annually from all dealers in intoxicating liquors. The receipts are apportioned equally between the county and municipality within which the place of business is located.

There is also a tax of $300 per annum on the sale of cigarettes and on the maintenance of property used for immoral purposes, the receipts being distributed in the same way as those from the liquor tax.

Peddlers oustide of a city or incorporated town pay the following annual license fees: On foot, $25; each 1-horse conveyance, $50; each 2-horse conveyance, $75, not to apply to persons selling at wholesale to merchants, nor to transient vendors of drugs, nor to persons running a huckster's wagon, or selling and distributing fresh meats, fish, fruit, or vegetables, nor to persons selling their own work or production either by themselves or employees; circuses and traveling shows, for each place outside the limits of a city or town, not to exceed $100; dog tax, $1 for each male and spayed female; $3 for each female.

Registering name of farm and description of the lands to which such name applies, $1. Cancellation of name, fee, 25 cents.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the method of equalization are the same as for state and county taxes.

Cities are assessment areas excluded from the township and county assessment areas, but are, practically, districts coordinate with townships. They provide their own assessors, whose duties are substantially the same as those of township assessors, and they may or may not use the assessment employed for state and county taxation.

2. *Rate—*

Fixed by the city council, but limited by statute as to maximum rate.

3. *Collection—*

Municipal taxes are collected by the county treasurer.

B. POLL TAXES.

Cities and towns have power to provide that all able-bodied male residents between the ages of 21 and 45 years shall, by themselves or by substitutes, perform two days' labor of eight hours each upon the streets, avenues, alleys, highways, or public grounds, commutable at not over $1.50 per day. For failure either to perform the work or to make such commutation payment, a penalty not to exceed $2 per day, or $4, may be required.

In road districts the supervisor is to require two days' labor on the roads of all able-bodied males between 21 and 45 years of age. The penalty for failure to work is $3 per day. Members of the Iowa National Guard and of fire companies are exempt from these taxes.

C AND D. INHERITANCE AND CORPORATION TAXES.

Municipalities do not participate in the inheritance tax and have no special taxes on corporations.

E. BUSINESS TAXES, LICENSES, AND FEES.

(See under County Revenues for provisions relating to tax on the sale of intoxicating liquors, of cigarettes, and the keeping of houses of ill fame.)

Cities generally have power to license and tax hotels, restaurants and eating houses, auctioneers, peddlers, plumbers, billposters, itinerant doctors, junk dealers, scavengers, pawnbrokers, billiard saloons, billiard and pool tables, bowling alleys and shooting galleries, circuses, menageries, theaters, and shows.

School Revenues.

State funds.—There are two state school funds, the permanent and temporary. The permanent fund, the interest of which only can be appropriated for school purposes, consists of 5 per cent of the net proceeds of the sale of public lands of the state, which is paid to the state treasurer and apportioned by the state auditor among the several counties, taking into consideration the amount of the permanent school fund in possession of and constantly loaned by the counties; the proceeds of the sale of 500,000 acres of land granted the state by an act of Congress in 1841; the proceeds of all intestate estates escheated to the state, and the proceeds of the sale of the sixteenth section in each township. The proceeds of all land sold and all sums due from escheats are payable to the treasurer of the county in which the lands or escheated estates are situated. The temporary fund, which is received and appropriated in the same manner as the income from the permanent fund, consists of fines, forfeitures, and the proceeds of the sale of lost goods and estrays.

The state school moneys are distributed to the districts in proportion to the number of youths between the ages of 5 and 21 years.

County funds.—Under statutory provisions the county is required to levy a tax of not less than 1 nor more than 3 mills for the support of the common schools. The county may make an additional levy of not to exceed 2 mills for the support of county high schools.

District funds.—The remainder of the school revenues are raised by taxation in township school districts and in subdistricts. The amount to be raised is determined by the school board or by vote of the district and is levied by the county supervisors.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

For extension and improvement of state capitol grounds a special tax of one-half mill for the years 1913 and 1914, and for eight successive years thereafter there shall be a levy, to be fixed by the executive council, to yield $150,000 annually.

A special tax of one-half mill annually for five years shall be levied for state institutions; counties may levy an additional tax of 1 mill in case of a county hospital.

Any temporary or transient merchant shall pay a county license fee of $200.

All cities having a population of 5,000 or more may levy a special tax of not to exceed 1½ mills per annum for fire-department purposes.

Library tax increased from 3 to 5 mills in all cities and incorporated towns.

The board of directors of any school corporation in which there is no free public library may contract with any free public library for free use of such library by residents of such school district, and may levy an annual tax not to exceed 1 mill for such purpose.

A tax of not exceeding 2 mills may be levied by municipalities for the purpose of creating a fund for construction, etc., of public docks, this tax to be augmented by certain toll fees.

The rate of tax for park purposes was raised from 2 to 2½ mills and the time for assessing the 1 mill tax for park improvements was extended to 1918.

A tax not to exceed 2 mills may be levied in cities for purpose of improvements along river front.

Cities of 5,000 or less may levy a tax not to exceed 7 mills for the purpose of supplying gas or electricity or power.

A special tax of 1 mill may be levied by cities of the first class or with special charter, having a population of 25,000 or over, for a department of public safety.

Cities of the first class, or with special charter, having a population of 80,000 or more may levy a special tax of 1 mill for construction, etc., of a garbage-disposal plant.

Registration fee of $5 for highway routes.

Investment companies—filing fee, $10; annual statement, $2; examination fee, $6 per day. Stock brokers, annual permit, $50

Department of insurance created.

A tax not to exceed 5 per cent on assessed value of real property contiguous to any projected trolley or electric railroad, or to any steam railroad which it is proposed to electrify, may be levied to aid in construction thereof.

License fee of $25 to be paid to state dairy and food commission to conduct a cold-storage and refrigerating warehouse.

License fee of $3 per annum to be paid to state dairy and food commissioner to conduct any food-producing establishment.

License of $20 per annum for each brand of fertilizer offered for sale within the state to be paid to the state dairy and food commissioner.

License fee of $25 per annum for permit to sell or offer for sale any hog cholera serum to be paid to the state board of education for the benefit of the hog cholera serum fund.

A tax of not to exceed 2 mills may be levied in school districts containing or contained in cities of the first or second class, cities under special charter, or cities under the commission plan, if so voted, for public recreation and playgrounds.

Dairy and food commissioner is paid a fee of $5 for inspecting scales, and an annual fee of $3 for each weighing device operated. Not more than two inspection fees may be charged in any one year.

The following amendment to the state constitution was proposed: To add as section thirty-nine (39) of article three (III) of said constitution the following, to-wit—

Sec. 39. For the purpose of providing revenue for state purposes, the general assembly may provide for the exclusive taxation of such classes of property as it may deem proper. When any class of property is exclusively taxed for state revenue purposes, such class shall not be otherwise taxed for general county, township, or municipal purposes.

Provision was made for the formation of county corporations for the improvement of agriculture, animal industry, and horticulture, and a yearly tax of not to exceed $5,000 may be levied by the county for advancing those sciences and arts.

A state highway commission was provided for to devise and adopt plans of highway construction and maintenance suited to the needs of the different counties of the state, and furnish standard plans to the counties in accordance therewith; also to have general supervision of the various county and township officers in the performance of their duties in connection therewith. The tax levy for the county road building fund was fixed at 2 mills instead of "not more" than 2 mills.

All grounds and buildings used for cemetery associations and societies were added to the property exempt from taxation.

KANSAS.[1]

Kansas depends almost entirely upon the general property tax for state, county, and municipal revenues. The poll tax is for local road purposes only. An inheritance tax was provided for in 1909. There is a special corporation tax on certain insurance companies, and an excise tax on express companies.

Beginning in 1908 the administration of the revenue laws was placed under the absolute control of a central authority, the state tax commission.

CONSTITUTIONAL PROVISIONS.

ARTICLE XI.

Sec. 1. The legislature shall provide for a uniform and equal rate of assessment and taxation; but all property used exclusively for state, county, municipal, literary, educational, scientific, religious, benevolent, and charitable purposes, and personal property to the amount of at least $200 for each family, shall be exempted from taxation.

Sec. 2. The legislature shall provide for taxing the notes and bills, discounted or purchased, moneys loaned, and other property, effects, or dues of every description (without deduction) of all banks now existing, or hereafter to be created, and of all bankers, so that all property employed in banking shall always bear a burden of taxation equal to that imposed upon the property of individuals.

Sec. 3. The legislature shall provide, at each regular session, for raising sufficient revenue to defray the current expenses of the state for two years.

Sec. 4. No tax shall be levied except in pursuance of a law which shall distinctly state the object of the same; to which object only, such tax shall be applied.

[1] This compilation is derived mainly from the following sources:
"Laws relating to Assessment and Taxation in Kansas." Compiled by the tax commission, August, 1913.
The General Statutes of Kansas, 1909.
The Session Laws, to 1913.

Sec. 5. (Provides for public debts and an annual tax to pay the interest and principal.)

ARTICLE VI.

Sec. 3. The proceeds of all lands that have been or may be granted by the United States to the state for the support of schools, and the 500,000 acres of land granted to the new states under an act of Congress distributing the proceeds of public lands among the several states of the Union, approved September 4, A. D. 1841, and all estates of persons dying without heir or will, and such per cent as may be granted by Congress on the sale of lands in this state, shall be the common property of the state, and shall be a perpetual school fund, which shall not be diminished, but the interest of which, together with all the rents of the lands, and such other means as the legislature may provide, by tax or otherwise, shall be inviolably appropriated to the support of common schools.

Sec. 7. (Provides for taxation to support the state university.)

OFFICERS.

The officers most directly concerned with taxation are:

(1) The county assessor, elected for two years. In counties of less than 12,000 inhabitants the county clerk is ex officio county assessor. The county assessor appoints his deputies with the consent of the county commissioners. He is to appoint the township trustee of each township as a deputy assessor. In cities of the first and second class the county assessor, with the consent of the mayor and city council, appoints a sufficient number of deputies to assess the property in such city.

(2) The county treasurer, elected for two years, who collects all taxes.

(3) The county board of equalization, composed of the board of county commissioners.

(4) Board of review in each district, composed of the deputy assessor and two taxpayers of such district. This board meets biennially in the even years for the equalization of property in the district.

(5) The state auditor.

(6) The state tax commission, composed of three commissioners appointed by the governor for a term of four years. The tax commission has general supervision over the assessment and collection of taxes and acts as a board of assessments for railroad property.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All property in the state, real and personal, not expressly exempt, is subject to taxation.

(1) Real property, besides the land and improvements, includes mines, minerals, quarries, mineral springs and wells, and rights and privileges appertaining thereto; but certain real estate of railroads is treated as personal property.

(2) Personal property includes every tangible thing subject to ownership not forming part of real estate; also the capital stock, undivided profits, and all other assets of every company, incorporated or unincorporated, and every share or interest in such stock, profit, or assets, provided the same is not included in other personal property subject to taxation or listed as the property of individuals; and also every share or interest in any vessel or boat used in navigating any of the waters within or bordering on this state, whether such vessel or boat shall be within the jurisdiction of the state or elsewhere; and also all "property" owned, leased, used, occupied, or employed by any railway or telegraph company or corporation within the state, situate on the right of way of any railway.

(3) Exemptions include, in addition to all public property, churches and schoolhouses, together with lands not in excess of 10 acres, if not used for profit, together with furniture and books; parsonages and not exceeding one-half acre of ground; buildings and grounds not in excess of 5 acres, together with books, furnishings, etc., of literary, educational, scientific, religious, benevolent or charitable associations; cemeteries; property of the Y. M. C. A. and Y. W. C. A., if used exclusively for the moral improvement of men and women; the moneys and credits of universities, colleges, academies, or public schools, or of religious, literary, scientific, or benevolent and charitable institutions; fire apparatus and buildings therefor; wearing apparel of every person; public libraries; family libraries and schoolbooks up to $50; the meeting hall and not to exceed one-half acre of land, with books, furnishings and the like of any post of the Grand Army of the Republic; reserve and emergency funds of fraternal beneficiary societies; and the buildings and one-half acre of land used exclusively by college societies as literary halls or dormitories.

State, county, city, school district and municipal bonds of the state of Kansas need not be listed for taxation.

b. Assessment.—There is but one assessment for state, county, and municipal purposes. The assessment is begun by the local assessors and completed or assembled by the county clerk and refers to the 1st day of March.

With the exception of property in cities of the first and second class, which may be assessed annually, real property and improvements are assessed once in two years, in the even numbered years. In the odd numbered years the assessment is changed to meet the changes in improvements. Personal property is assessed annually.

Every person of full age and sound mind is required to furnish the assessor a sworn list of all his property and of all property held by him in trust, including the value, which, however, is not binding on the assessor, who is to determine the true value in money from actual view and inspection. Failing to submit a sworn statement, except in case of sickness or absence, or submitting a false statement, constitutes a misdemeanor, punishable by a fine of not less than $50 nor more than $5,000. It is further provided that the assessment of such persons as is returned by the assessor shall be increased 50 per cent. Refusal to be sworn or to answer questions is punishable by a fine of not over $1,000 nor less than $100. In the case of railroads the penalty is $1,000; in that of telegraph, telephone, and pipe-line companies, it is $500 and $100 per day after March 20; and in the case of express companies, $500 and $100 per day after May 31.

Corporations in general are assessed as are natural persons, except that railroads, including street railroads, electric lines, express companies, telegraph and telephone and oil or gas pipe lines operated in more than one county, are assessed annually by the state tax commission on the basis of a detailed statement as to amount, kind and value of property, furnished by the companies, and the assessment so made is apportioned to the counties, cities, and townships in which the property lies, on an average valuation per mile. The assessment by the state tax commission covers only the property necessarily used by these companies in their daily operations, other property being assessed by the local assessors. The property of telephone companies and of companies operating oil or gas pipe lines in one county only, is assessed by the local assessor.

Car companies, when incorporated, are assessed on the actual value of their capital stock; when not incorporated, on the value of their property, on the basis of reports furnished to the tax commission. If no report is furnished, the state tax commission assesses them to the best of its ability, adding thereto 50 per cent as a penalty. If the tax is not paid by December 20, 10 per cent is added; all of this tax is paid into the state treasury for state purposes.

Shares of stock in banks, banking associations, loan and investment companies, and mutual fire and life insurance companies are listed for taxation by the officials of the company and are taxable in the city or township where the institutions are located. Real estate owned by such companies is assessed where located and the value thereof deducted from the capital stock assessed as above.

Shares of stock in building and loan associations owning shares of permanent or fixed capital stock, are assessed to the shareholders in the city or town where the company is located, less any real estate assessed to the company. Building and loan associations, without permanent or fixed capital stock, are assessed upon their real and personal property and the surplus in excess of the cash surrender value of outstanding shares. Persons holding such shares are assessed thereon upon the surrender cash value less any indebtedness for which the shares are security.

The shares of stock in corporations are generally not listed by the shareholders; but the companies, except as otherwise stated, are required to list their capital stock and the excess thereof over property otherwise taxed is taxable to the company at the place where the principal office is kept.

Mineral rights are assessed separately from the land when the ownership vests in a person other than the owner of the land.

Mortgages are assessed as other property.

Merchants and manufacturers are assessed upon their average monthly holdings during the year and are required to declare values only.

Debts owing in good faith may be deducted from gross amount of credits.

c. Equalization.—The state tax commission, which constitutes a state board of equalization, equalizes assessments between persons, firms, or corporations of the same assessment districts, between cities and townships of the same county, and between different counties of the state and the property assessed by the commission. The valuations fixed by the state tax commission must be used as the basis of local taxes. The county board of equalization equalizes the assessment of real property in each county. Appeal lies from the county board of equalization to the state board of equalization.

At least once in two years the state tax commission calls the county assessors together for conference and instruction with a view to securing greater equality.

2. *Rate*—

The state tax commission determines the rate of taxation for state purposes. In 1912 this rate was 1.2 mills on each dollar of valuation.

3. *Collection*—

Taxes for state purposes, as well as township and county taxes, are collected by the county treasurers. Taxes become a lien on the property on November 1 in each year. They may be paid in two instalments, one-half on or before December 20 and one-half on or before June 20, but if the first instalment is not paid when due, the whole tax becomes delinquent and may be collected at once, together with a penalty of 5 per cent on the first instalment. All taxes delinquent after June 20 involve an additional penalty of 5 per cent, but if a taxpayer pays both instalments in December, he receives a rebate of 5 per cent on the second instalment. Delinquent taxes are collected by the sheriff by seizure and sale of property.

B. POLL TAXES.

There are no state poll taxes.

C. THE INHERITANCE TAX.

All property within the jurisdiction of the state, whether belonging to inhabitants of the state or not, which shall pass by will or by the laws regulating intestate succession or by deed or grant, or gift, made in contemplation of death, or made to take effect in possession or enjoyment after death of the grantor, to any person, except in case of a purchase for full consideration; and except property to or for literary, educational, scientific, religious, benevolent and charitable societies; provided, such use entitles the property so passing to be exempt from taxation; and except property to or for use of the state, county, or a municipality for public purposes; and except property to or for the use of a class herein designated as class A, being the husband, wife, lineal ancestor, lineal descendant, adopted child, the lineal descendant of an adopted child, the wife or widow of a son or the husband of a daughter of a decedent; and except property to or for the use of a class herein designated as class B, being the brother, sister, nephew, or niece of a decedent; not to exceed $25,000 shall be subject to a tax of 5 per cent of its value; and all such property which shall so pass in excess of $25,000 and not more than $50,000 shall be subject to a tax of 7½ per cent of its value; and all such property which shall so pass in excess of $50,000 and not to exceed $100,000 shall be subject to a tax of 10 per cent of its value; and all such property which shall so pass in excess of $100,000 and not to exceed $500,000 shall be subject to a tax of 12½ per cent of its value; and all such property which shall so pass in excess of $500,000 shall be subject to a tax of 15 per cent of its value; and all such property which shall so pass to or for the use of a member of class A not to exceed $25,000 shall be subject to a tax of 1 per cent of its value; and all property which shall so pass to or for the use of a member of class A in excess of $25,000 and not to exceed $50,000 shall be subject to a tax of 2 per cent of its value; and all such property which shall so pass to or for the use of a member of class A in excess of $50,000 and not to exceed $100,000 shall be subject to a tax of 3 per cent of its value; and all such property which shall so pass to or for the use of a member of class A in excess of $100,000 and not to exceed $500,000 shall be subject to a tax of 4 per cent of its value; and all such property which shall so pass to or for a member of class A in excess of $500,000 shall be subject to a tax of 5 per cent of its value; and all such property which shall so pass to or for the use of a member of class B not to exceed $25,000 shall be subject to a tax of 3 per cent of its value; and all such property which shall so pass to or for the use of a member of class B in excess of $25,000 and not to exceed $50,000 shall be subject to a tax of 5 per cent of its value; and all such property which shall so pass to or for the use of a member of class B in excess of $50,000 and not to exceed $100,000 shall be taxed 7½ per cent of its value; and all such property which shall so pass to or for the use of a member of class B in excess of $100,000 and not to exceed $500,000 shall be subject to a tax of 10 per cent of its value; and all such property which shall so pass to or for the use of a member of class B in excess of $500,000 shall be subject to a tax of 12½ per cent of its value; provided, that no bequest, devise, or distributive share of an estate which shall so pass to or for the use of a husband, wife, father, mother, child, or adopted child of the deceased, shall be subject to the provisions of this act, unless its value exceeds $5,000; and provided further, that no bequest, devise, or distributive share which shall so pass to or for the use of a brother, sister, nephew, or niece of the deceased shall be subject to the provisions of this act unless its value exceeds $1,000.

The tax is a lien upon the estate until paid and is imposed on the actual value of the property at the time of the death of the decedent.

If taxes are not paid when due, at the expiration of one year, interest at the legal rate shall be charged. No discount is allowed for prompt payment.

The tax commission shall determine the amount of tax due upon any estate and shall certify the amount to the probate court and to the county treasurer and to the person by whom tax is payable; tax is payable to the county treasurer of the county in which is situated the probate court having jurisdiction of the estate, who turns the same over to the state treasurer for use of the general revenue fund, after certain fees for collecting are taken out.

D. CORPORATION TAXES.

Express companies pay an excise tax of 4 per cent of their gross receipts for business done within the state. There is a penalty of 20 per cent if not paid during the month of December. This tax is in addition to the taxes on tangible property and accrues to the state treasury.

All insurance companies organized under the laws of another state pay 2 per cent on gross premiums collected in this state.

All insurance companies organized under the laws of a foreign country pay 4 per cent on gross premiums collected in the state.

Every insurance company, domestic or foreign, doing business in this state, pays an annual tax of $50 into the state treasury for the general school fund.

E. BUSINESS TAXES, LICENSES, AND FEES.

Insurance agent's license—mutual hail, 50 cents; foreign fire, $10; foreign burial, $5; all others, $2. License to sell fertilizer, $20 for each brand (credited to agricultural fund). Hunter's license—resident, $1; nonresident, $15. Employment agencies—cities less than 20,000 inhabitants, $10; cities of 20,000 and over, $25. Ex-soldiers and sailors are allowed to peddle without a license.

Stallions.—License fee of $2 paid to state live stock registry board for expense of said board. Annual report is made to the governor.

Certificate of authority, foreign burial insurance company, $150; foreign hail insurance company, $55; mutual hail insurance, $10; joint-stock life insurance company, $100; domestic burial insurance company, $25; mutual life insurance company, $100. Annual statement, foreign hail insurance, $50; mutual hail insurance, $10; joint-stock life insurance, $100; domestic burial, $10; foreign burial, $50. All other companies—For certificate of authority, $55; filing annual statement, $50.

Embalmers—License to practice, $10; annual renewal, $2. Veterinary surgery—Certificate, $10. To practice dentistry—Examination fee, $25. Optometry—Certificate, $5; annual renewal, $2. Medicine, surgery, osteopathy—Certificate to practice, $2; fee for examinations, not to exceed $15; examination of diplomas or certificates from another state, not to exceed $10, paid to state treasurer. To manufacture fertilizer—Registration, $25. All corporations—Application fee, $25; filing and recording fee, $2.50. Corporations, domestic or foreign, filing articles of incorporation or authority to do business pay capitalization fee as follows: Authorized capital of $100,000 or less, one-tenth of 1 per cent, minimum amount, $10; authorized capital of more than $100,000, $100, and one-twentieth of 1 per cent of capital in excess of $100,000; filing annual statement, $1.

Banks pay a graduated fee for examination by the bank commissioner.

F. THE INCOME TAX.

There is no income tax in Kansas.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

a and *b. The property included and exempt, and the assessment.*—The property included and exempt and the method of assessment and equalization are the same for the county as for the state.

c. Equalization.—The county board of equalization equalizes the assessment of real property in each county, but appeal lies to state board of equalization.

2. *Rate*—

The county commissioners determine the amount of money to be raised annually for county purposes, and the county clerk computes the rate on each $100 of assessed valuation necessary to raise the amount, subject, however, to the following limitations:

For general purposes.—Graduated according to assessed valuation, from a levy of 2½ mills on the dollar when the assessed valuation is $10,000,000 or less, to a levy of 1⅛ mills in counties having an assessed valuation of over $100,000,000.

For road purposes.—Counties may vote to adopt a law granting the privilege to levy a tax of not more than 1 mill on the dollar on all taxable property in the county for five years. In incorporated cities of over 2,000 inhabitants the tax may be paid in labor at the rate of $1.50 per day.

For improvement of roads.—Four-tenths of 1 mill on the dollar of all taxable property in county; this levy to be credited to township from which it came.

School purposes.—Levy not to exceed 4½ mills on the dollar, on all taxable property in county.

In counties having a valuation less than $30,000,000, a tax of six-tenths of 1 mill may be levied for support of high schools.

These rates may be exceeded when so voted by the people. Drainage taxes may be levied against persons whose property is benefited thereby.

3. *Collection*—

County taxes are collected, as are state and township taxes, by the county treasurer.

B, C, AND D. POLL, INHERITANCE, AND CORPORATION TAXES.

The counties levy no poll tax, there is no inheritance tax, and they receive no part directly of the special corporation taxes which are assessed against insurance companies, nor of the excise tax on express companies.

E. BUSINESS TAXES, LICENSES, AND FEES.

Ferry license rates, fixed by county commissioners, $10 to $500.

Druggists who sell spirits for medicinal, scientific, or mechanical purposes pay an annual fee of $5. Itinerant vendors, $50 per annum.

For the purpose of creating a fund for the payment of expenses of officers of the artesian well board a license fee for each well which does not flow but which is used for irrigation purposes by mechanical means, $2.50 per year; for each well pumped or flowing used for domestic purposes, $2.50 per year.

For each artesian well used for irrigation an equitable sum to be levied by the board of artesian well commissioners, based upon the amount of flow determined from measurements taken.

For each reservoir used for irrigation, $2.50 per year.

Upon the report of measurements by the supervisor the well board sets the rate, and the amount levied against each owner shall be placed on the tax rolls of the county and shall be collected the same as other taxes are collected.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and exempt and the assessment and equalization are the same as for state and county purposes.

2. *Rate*—

The rate is fixed within certain statutory limitations, by the mayor and councilmen or commissioners in cities, by the trustees in townships (with the concurrence of the county commissioners), or in cities which constitute school districts, and in school districts by the boards of education and school boards.

3. *Collection*—

Municipal taxes are collected by the county treasurer.

B. POLL TAXES.

In townships, all males between the ages of 21 and 50 years, who have resided in the state 30 days, shall pay the sum of $3 to township highway commissioners for the benefit of the public roads in the township. The highway commissioners may compel all such male persons to perform two days' work of eight hours each, or one day with team, in lieu of the above tax.

Cities of the first class are road districts, and the same provisions apply in general, except that the day is ten hours and the tax is collected by the street commissioners.

Cities of the second and third classes may levy a poll tax, not exceeding $1, on all able-bodied males between 21 and 50 years of age.

C. THE INHERITANCE TAX.

There is no inheritance tax.

D. CORPORATION TAXES.

Insurance companies, organized under the laws of other states, pay 2 per cent on premiums received in incorporated cities, which maintain a regularly organized fire department under the control of the mayor and council. This tax is paid to the superintendent of insurance, and is by him paid to the firemen's relief associations of the several cities in which collected.

E. BUSINESS TAXES, LICENSES, AND FEES.

In cities of the first class the mayor and councilmen have power to license and tax callings, trades, professions, and occupations practiced within the city limits. They may also tax the owners and harborers of dogs.

Billiard and pool tables and bowling alleys outside the cities pay not less than $50 to the townships.

School Revenues.

State funds.—The state school fund consists of the annual income from the perpetual school fund, and of escheats and estrays, and fines for breach of penal laws.

County funds.—In every county in which one or more school districts, or cities of less than 16,000 inhabitants, maintain high schools articulating with the College of Liberal Arts and Sciences of the University of Kansas, the county commissioners levy an annual tax of not less than one-fourth of 1 mill nor more than 3 mills for the purpose of creating a general high school fund. To support other county high schools the board of trustees may levy a tax not to exceed five-tenths of 1 mill.

In counties having more than 10,000 inhabitants a tax not to exceed 4 mills may be levied in any township for maintenance of high schools; in counties with less than 10,000 and more than 3,000 the rate is limited to 1 mill, and in counties having 3,000 or less to one-half mill.

District funds.—The state and county funds are supplemented by local district levies which are limited to not to exceed 4½ mills.

When the maximum district levy of 4½ mills together with the state and county apportionment is not sufficient to maintain the district school for seven months, the balance necessary is furnished by the state and county.

City schools.—In cities of the first and second class the schools are administered by the city board of education.

Legislation Affecting Revenue Laws: 1913.

The inheritance tax law was repealed.

An amendment to the constitution to authorize the taxation of incomes, franchise privileges, and occupations was submitted to be voted on by the people in 1914.

Cities having a population of over 3,500 and less than 15,000 were authorized to levy a tax not to exceed 2 mills for not more than four years for locating and building schoolhouses. Cities were authorized to levy a library tax of from one-fourth to four-tenths of 1 mill. The tax levy of cities of 75,000 and over was limited to 6.4 mills for municipal purposes. Dogs may be listed and assessed as personal property or subject to a state license of $1 for males and $2 for females.

County assessors are to be elected every two years in counties of over 55,000; in counties with a smaller population the county clerk is ex officio county assessor. This limit of population was formerly 12,000.

County commissioners were authorized to levy a tax to establish county demonstration farms, fairgrounds, etc. The county levy for general purposes in counties with assessed valuation of $3,000,000 or less was limited to 3½ mills; with an assessed valuation of more than $3,000,000 and not more than $10,000,000, to 2½ mills.

KENTUCKY.[1]

The revenue system of Kentucky is that of a general property tax largely supplemented by licenses. There is an organization tax and an annual license tax on corporations, and a collateral inheritance tax.

A special feature of the Kentucky system is that the auditor may appoint revenue agents in each county and for the state at large to bring suits to require the listing of property omitted from the rolls which would otherwise escape. They receive as compensation 20 per cent on all taxes recovered through their activity.

The office of supervisor of revenue agents was created by the legislature in 1912. He is appointed by the auditor.

CONSTITUTIONAL PROVISIONS.

Sec. 59. The general assembly shall not pass local nor special acts * * *. To authorize or to regulate the levy, the assessment, or the collection of taxes, * * *.

Sec. 157. The tax rate of cities, towns, counties, taxing districts, and other municipalities, for other than school purposes, shall not, at any time, exceed the following rates upon the value of the taxable property therein, viz: For all towns or cities having a population of 15,000 or more, $1.50 on $100; for all towns or cities having less than 15,000 and not less than 10,000, $1 on $100; for all towns or cities having less than 10,000, 75 cents on $100; and for counties and taxing districts, 50 cents on $100; unless it should be necessary to enable such city, town, county, or taxing district to pay the interest on and provide a sinking fund for the extinction of indebtedness contracted before the adoption of this constitution.

Sec. 170. There shall be exempt from taxation public property used for public purposes; places actually used for religious worship, with the grounds attached thereto and used and appurtenant to houses of worship, not exceeding one-half acre in cities or towns, and not exceeding 2 acres in the country; places of burial not held for private or corporate profit, institutions of purely public charity, and institutions of education not used or employed for gain by any person or corporation, and the income of which is devoted solely to the cause of education; public libraries, their endowments, and the income of such property as is used exclusively for their maintenance; all parsonages or residences owned by any religious society, and occupied as a home, and for no other purpose, by the minister of any religion, with not exceeding one-half acre of ground in towns and cities and 2 acres of ground in the country appurtenant thereto; household goods and other personal property of a person with a family, not exceeding $250 in value; crops grown in the year in which the assessment is made, and in the hands of the producer; and all laws exempting or commuting property from taxation other than the property above mentioned shall be void. The general assembly may authorize any incorporated city or town to exempt manufacturing establishments from municipal taxation, for a period not exceeding five years, as an inducement to their location.

Sec. 171. The general assembly shall provide by law an annual tax, which, with other resources, shall be sufficient to defray the estimated expenses of the commonwealth for each fiscal year. Taxes shall be levied and collected for public purposes only, and shall be uniform upon all property of the same class subject to taxation within the territorial limits of the authority levying the tax; and all taxes shall be levied and collected by general laws.

Sec. 172. All property, not exempted from taxation by this constitution, shall be assessed for taxation at its fair cash value, estimated at the price it would bring at a fair voluntary sale; and any officer, or other person authorized to assess values for taxation, who shall commit any willful error in the performance of his duty, shall be deemed guilty of misfeasance, and upon conviction thereof shall forfeit his office, and be otherwise punished, as may be provided by law.

Sec. 174. All property, whether owned by natural persons or corporations, shall be taxed in proportion to its value, unless exempted by this constitution; and all corporate property shall pay the same rate of taxation as is paid by individual property. Nothing in this constitution shall be construed to prevent the general assembly from providing for taxation based on income, licenses, or franchises.

Sec. 175. The power to tax property shall not be surrendered or suspended by any contract or grant to which the commonwealth shall be a party.

Sec. 180. The general assembly may authorize the counties, cities, or towns to levy a poll tax not exceeding $1.50 per head. * * *

Sec. 181. The general assembly shall not impose taxes for the purposes of any county, city, town, or other municipal corporation, but may, by general laws, confer on the proper authorities thereof, respectively, the power to assess and collect taxes. The general assembly may, by general laws only, provide for the payment of license fees on franchises, stock used for breeding purposes, the various trades, occupations, and professions, or a special or excise tax; and may, by general laws, delegate the power to counties, towns, cities, and other municipal corporations, to impose and collect license fees on stock used for breeding purposes, on franchises, trades, occupations, and professions. And the general assembly may, by general laws only, authorize cities or towns of any class to provide for taxation for municipal purposes on personal property, tangible and intangible, based on income, licenses or franchises, in lieu of an ad valorem tax thereon: *Provided*, Cities of the first class shall not be authorized to omit the imposition of an ad valorem tax on such property of any steam railroad, street railway, ferry, bridge, gas, water, heating, telephone, telegraph, electric light, or electric power company.

Sec. 182. Nothing in this constitution shall be construed to prevent the general assembly from providing, by law, how railroads and railroad property shall be assessed and how taxes thereon shall be collected. And, until otherwise provided, the present law on said subject shall remain in force.

Sec. 184. The bond of the commonwealth, issued in favor of the board of education, for the sum of $1,327,000, shall constitute one bond of the commonwealth in favor of the board of education, and this bond and the $73,500 of the stock in the Bank of Kentucky (* * *), held by the board of education, and its proceeds, shall be held inviolate for the purpose of sustaining the system of the common schools. The interests and dividends of said fund, together with any sum which may be produced by taxation or otherwise for the purpose of common school education, shall be appropriated to the common schools, and to no other purpose. No sum shall be raised or collected for education other than in common schools until the question of taxation is submitted to the legal voters, and the majority of the votes cast at said election shall be in favor of such taxation: *Provided*, The tax now imposed for educational purposes, and for the endowment and maintenance of the agricultural and mechanical college, shall remain until changed by law.

OFFICERS.

The officers most directly concerned with taxation are:

(1) A county assessor in each county, elected for a term of four years and not eligible for reelection.

[1] This compilation is derived mainly from the following sources:
"Chapter 22, relating to Revenue and Taxation, act of 1906." Published by the state. Geo. G. Fetter Co., Louisville, Ky., 1906.
The Kentucky Statutes, fourth edition, prepared by John D. Carroll, 1909.
The Session Laws to 1912.

(2) The city assessors: In cities of the first class, elected by the general council for four years; in cities of the second class, elected by the voters for four years; in cities of the third class, elected by the council for two years; in cities of the fourth class, appointed by the council or elected for four years; in cities of the fifth class, appointed by the council for two years; in cities of the sixth class, appointed by the trustees for two years.

(3) The sheriff, who is county tax collector.

(4) The city tax collectors: In cities of the first class, a tax receiver, elected for four years; in cities of the second class, the treasurer, who collects taxes; in cities of the third class, a tax collector, elected annually by the council; in cities of the fourth class, a tax collector, appointed for two years by the council; in cities of the fifth class, the marshal, who collects taxes; in cities of the sixth class, the marshal, or sheriff, who collects taxes.

(5) The county board of supervisors of taxes (not a governing or legislative body), generally of five members, appointed by the county judge each year. In counties where there are cities of the first and second classes three additional, and in those where there are cities of the third and fourth classes, two additional members are appointed. This board acts as a board of review and equalizes the assessment as between individuals.

(6) The city boards of equalization: In cities of the first class, a board of equalization of three persons, elected annually by the board of aldermen; in cities of the second class, a board of equalization of three persons, appointed annually by the mayor with the consent of the general council; in cities of the third class, a board of tax supervisors of three persons, appointed annually by the mayor; in cities of the fourth class, three supervisors of taxes, appointed annually by the council; in cities of the fifth class, a board of equalization of three persons, appointed annually by the city council; in cities of the sixth class, a board of equalization of three persons, appointed annually by the board of trustees.

(7) The state board of equalization of assessments, composed of one person from each appellate district in the state, appointed by the governor, together with the auditor of public accounts. The term is four years.

(8) The state railroad commission, composed of three members (one from each superior court district), elected every four years.

(9) The state board of valuation and assessment, composed of the state auditor, state treasurer, and secretary of state.

(10) Revenue agents.—One in each county and four for the state at large may be appointed by the auditor of public accounts. The powers of these officers are to search for and assess property omitted from the assessment rolls. The auditor also may appoint a supervisor of revenue agents who shall approve all actions before the same are instituted by the agents. In successful suits, in addition to the taxes recovered, a penalty of 20 per cent is collected. Of the penalty money, 75 per cent goes to the revenue agent instituting the suit and the balance, 25 per cent, makes up a "back tax reserve fund," out of which the supervisor of revenue agents is paid his salary of $3,000 a year, his traveling expenses, and clerk hire.

State Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All real and personal property within the state, and all personal property of persons residing in the state, and of all corporations organized under the laws of the state, whether the same be in or out of the state, including intangible property, which is considered and estimated in fixing the value of corporate franchises, shall be subject to taxation unless the same be exempt by the constitution. But tangible personal property, located and having a taxable situs without the state, of persons residing in this state, and of all corporations organized under the laws of the state is not subject to taxation.

Real estate includes all lands and improvements.

Personal estate includes every other species and character of property—that which is tangible as well as that which is intangible.

Mortgages are taxable as personal property. No deduction on account of mortgages is allowed on the assessed value of land.

Shares of stock in corporations whose property is taxed are not taxable to the shareholders, but shares in state and national banks, in trust companies, and in building and loan associations form an exception to this general rule.

For the list of exemptions see constitution, section 170.

b. Assessment.—With the exception of railroad property, assessed by the railroad commission, and the franchises of certain corporations, and distilled spirits, assessed by the state board of valuations and assessments, the assessment of property for taxation is made by the local assessors.

Each taxpayer is required to make to the assessor a statement under oath of his property and its fair cash value. The assessor, however, is not bound by such statement and may fix the value himself.

The assessment refers to the 1st day of September and is completed by the 1st of January.

Rendering a false statement is treated as a misdemeanor, subject to a fine of not over $500 and to the additional penalty of three times the amount of the tax otherwise due. Refusal to list property is subject to a fine of not over $100.

Railroad property is returned to the state auditor and the returns so made are reviewed by the railroad commission. The assessment is by the unit rule and apportioned on a mileage basis.

The franchise of every railroad company or corporation, guaranty or security company, gas company, water company, ferry company, bridge company, street railway company, express company, electric light company, electric power company, telegraph company, press dispatch company, telephone company, palace car company, dining car company, sleeping car company, chair car company, and every other like company, corporation, or association having any special or exclusive privilege or franchise not allowed by law to natural persons, or performing any public service, is assessed by a board of valuation and assessment composed of the auditor, treasurer, and secretary of state, on the basis of sworn returns from the officers of the company. The valuation is based upon the market value of the capital stock and bonds and apportioned, when business is done in more than one state, in proportion to the gross earnings, with allowance for tangible property otherwise assessed.

When any person or association of persons not incorporated engage in any similar business, they are assessed for a franchise in the same manner.

The assessments so made are apportioned among the counties, cities, towns, and taxing districts in the state. In the case of carriers and the like this is done on the basis of mileage. In other cases it is done as nearly as may be according to the location of the property.

Railroad, telegraph, telephone, express, sleeping, dining, palace or chair car company, or other carrier, whether incorporated or not, organized in Kentucky but having lines wholly without the state pay on the proper proportion of capital stock, fixed by the board of valuation and assessment and which must be not less than 1 per cent. The apportionment of the capital stock of these corporations and that of all corporations doing business partly within and partly without the state has been held not to conflict with the constitution, section 59, subsection 15, above, prohibiting special legislation regulating the levy, assessment, and collection of taxes. (Commonwealth *v.* The Southern Pacific Co., 149 S. W. Rep., 1105.)

The shares of state banks, national banks, trust companies, and life insurance companies are assessed by a board composed of the state auditor, treasurer, and secretary of state on the basis of capital and surplus less the real estate assessed as other real estate. Such companies are also subject to a local tax.

The assessor is paid for his services by commissions: 4 cents on each $100 of the first $1,000,000 and 1½ cents on each $100 of the excess over $1,000,000, but not to exceed $4,000 in any one year. In counties where the assessed value exceeds $38,000,000 the assessor is allowed as compensation for deputies $1,500 for each $7,500,000 in excess of $38,000,000. In counties where the assessment does not exceed $1,000,000 the assessor is allowed 4½ cents per $100.

c. Equalization.—The county board of supervisors of taxes acts as a board of review, with power to raise or lower any list and correct errors in assessment books, but it may not add property that has wholly escaped assessment, that being done by the sheriff or auditor's agent. It also hears and passes on complaints. An appeal lies to the county court.

The state board of equalization equalizes between counties.

2. *Rate—*

The rate of taxation for state purposes is fixed by statute and changed only by legislative enactment. In 1912 the rate was 50 cents on each $100 of value, of which 21½ cents were for the ordinary expenses of government, 26 cents for the support of common schools, 2 cents for sinking fund, one-half of 1 cent for the agricultural and mechanical college.

3. *Collection—*

State, county, and school district taxes are collected by the sheriff between March 1 and November 1. The taxes are due on and after March 1, and become delinquent on November 1, when 6 per cent penalty is added. The sheriff is required to pay a 6 per cent penalty on all taxes collected and not paid over by him prior to January 1. On and after March 1 he has power, after demand, to collect by distraint, and real estate may be sold if no personalty be found.

The sheriff is paid by commissions: 10 per cent on the first $5,000 and 4 per cent on the residue.

These fees are paid by the state on the state taxes collected, and a like amount by the county and school districts on account of taxes collected for them.

B. POLL TAXES.

The state does not share in the poll taxes.

C. THE INHERITANCE TAX.

All property over $500 which passes by will or by the intestate laws of the state from any person who may die seized or possessed of same while a resident of this state, or if such decedent was not a resident of this state at the time of death, which property shall be within the state, or by transfer by deed, grant, sale, or gift, made in contemplation of death or intended to take effect after death, is subject to a collateral inheritance tax of 5 per cent on the fair cash value. Property passing to the father, mother, husband, wife, lawful issue, son-in-law, daughter-in-law, adopted child, or any lineal descendant born in lawful wedlock is exempt. The court in which tax settlement proceedings are pending may appoint an appraiser to value the estate. The executor or administrator is required to deduct the tax before delivering the property. If paid within nine months, 5 per cent discount is allowed; if unpaid for eighteen months, 10 per cent interest is added from the date of the death of the decedent.

N. B.—[The tax is upon the individual, and can be imposed only when the particular interest in the decedent's estate passing to *him* exceeds $500. The tax is not, therefore, imposed on the estate of the decedent, but upon the beneficiary's right of succession to his property. Nor does the fact that the executor or administrator is required by the act to pay the tax make it a tax against the estate of the testator or decedent, for it also requires him to deduct it from the estate passing to the legatee or collateral heir. (130 Ky., 95.)]

D. CORPORATION TAXES.

Most corporations are taxed under the general property tax. But the tax on the franchise of certain general classes of public service corporations, while strictly a part of the property tax, is in a sense analogous to a special corporation tax. (See State revenues, above.)

Every corporation is required to pay at the time of incorporation an "organization tax" of one-tenth of 1 per cent on the capital stock and on each increase of the capital stock. This tax is classed here rather than under "fees." It is, however, not a recurrent tax and resembles a fee.

Domestic and foreign corporations, except foreign insurance companies, foreign building and loan companies, banks and trust companies, and corporations paying the franchise tax, pay an annual license tax of 30 cents on each $1,000 of the portion of the capital stock represented by the property owned and business transacted in the state.

Foreign insurance and guaranty companies, other than fraternal, pay 2 per cent on premiums received in the state; foreign building and loan associations, 2 per cent on gross receipts. Domestic insurance companies are taxed on their property, including their franchises.

Fire insurance companies doing business in the state pay a tax of one-half of 1 per cent on the gross premium receipts for the purpose of defraying expenses incurred in the investigation of fires.

If corporation taxes are delinquent, a penalty of 10 per cent attaches, and thereafter such taxes bear interest at the rate of 10 per cent.

E. BUSINESS TAXES, LICENSES, AND FEES.

With the exception of liquor licenses, which are granted by the county court, state licenses are issued by the county clerks.

Tavern or hotel with 25 rooms or more, per annum, $10; tavern or hotel selling malt liquor, per annum, $85; tavern or hotel selling spirituous and vinous liquor, per annum, $160; tavern or hotel

selling spirituous and malt liquor, per annum, $210; to retail malt liquor, per annum, $75; to retail spirituous and vinous liquor, per annum, $150; to retail spirituous, vinous, and malt liquors, $200; to retail playing cards, per annum, $10; to retail pistols, per annum, $100; to retail bowie knives, dirks, brass knuckles, per annum, $100; pawnbrokers, per annum, $500; stock and bond brokers, per annum, $25; trading stamp companies, each county, per annum, $10; bowling alleys in counties over 25,000, per annum, $15; bowling alleys in counties under 25,000, per annum, $10; distillers, to retail spirituous liquor of their own manufacture, per annum, $100; manufacturers of vinous liquors, to retail liquor of their own manufacture, per annum, $75; merchants selling liquor, per annum, $100; druggists selling liquor, per annum, $100; circuses, etc., per hundred voters in county, $1, and same amount for each separate exhibition, but not to exceed per exhibition $50; side shows, one-half the amount paid by main circus; slaughterhouses, packing houses, etc., on value of products, one-half of 1 per cent; retailing cigarettes, per annum, $10; wholesaling cigarettes, per annum, $25; oil depots, per annum, $10; retailing oil, per annum, $15 for each county in which each wagon is used; on standing studhorse, jack, or bull for service, a sum equal to the highest price charged, whether for the season or for issuance; peddlers for entire state, one person, two-horse wagon, per annum, $50; one person, one-horse wagon, per annum, $40; one person, horseback, per annum, $30; one person, on foot, per annum, $20; itinerant vendors, per annum, $100; each assistant, per annum, $100; peddlers in one county only, one-quarter rates required for whole state; exhibition of trained animals, per day, $5; auctioneer, in each municipality, $5; billiard table, $20; additional tables in same place, $5; bill posters, $10; wharf boats, $10; bottling establishments, $25; brokers and commission merchants, $25; cane racks, etc., each county, $5; commercial agencies, $100; exhibition, show, or concert not in licensed hall, $5; feather renovators, $10; steam ferries, not paying a franchise tax, $25; fortune tellers, per county, $20; hack lines, $10; ice factories, $15 to $30, according to output; steam laundries, $10; loan companies, $200; lightning rod agent, per county, $50; merry-go-round, per county, $10; oleomargarine dealer, $5; patent medicine vendors, without stores, $100; photograph galleries, $5; piano and organ agents, per county, $5; railroad eating houses, $10; restaurants, $5; sewing machine agency, one agent, per county, $10; each additional agent, $5; shooting gallery, each county, $5; soda fountains, $2.50; sellers of proprietary soft drinks, $2.50; picture enlargement solicitor, each county, $5; theaters, $10 to $40, according to class of city; transient jewelry vendor, $10; transient stove vendor, $20; skating rinks, $5 to $75, according to class of city; rectifiers of single stamp spirits whose sales aggregate 500 barrels or less, per annum, $100; sales over 500 and less than 1,000 barrels, per annum, $200; sales of 1,000 barrels or more, per annum, $300; breweries, per annum, $200; agencies of breweries, per annum, $25; wholesale dealers in wines, ales, and vinous liquors, per annum, $200; rectifiers, single stamp spirits, 1½ cents upon every wine gallon. Hunter's license, obtained by resident of state, $1; by nonresident or alien, $15. Each colony of bees, 5 cents per annum.

The county clerk is allowed 5 per cent commission on all license taxes collected by him.

The owner of every dog pays a license tax thereon of $1. The amount so collected is used to indemnify losses caused by the injuring of sheep by dogs. Any surplus is transferred to the credit of the school fund of the county in which collected.

For recording articles of incorporation, 25 cents for each 100 words. Textbook filing fee, $5, credited to state school fund. For registering motor vehicles, of less than 25 horsepower, $5; 25 to 49 horsepower, $10; 50 horsepower and over, $20. Duplicate certificate issued for 50 cents. The license tax on automobiles and motor-driven vehicles is deposited to the credit of the state road fund.

For examination of mine foreman, $2.50; for "service certificate" of a miner, $2.50. Dentist's examination fee, $20; registration fee, 50 cents; renewal certificate, $1 annually; special certificate, $5; issuing license to a practitioner from another state, $25. Pharmacist, registration fee, $10; assistant pharmacist, $5; renewal certificate, $2.

Filing charter, $30; filing annual statement, $25; filing agent's license other than life companies, $3; agent's license, life companies, $5; agent's license, industrial life, $2; filing declaration of intention to form company, $30; supplemental statement, $25.

For filing report of bank, $1. For examination of any bank having a capital and surplus of $20,000 or less, $15; $20,000 to $50,000, $20; $50,000 to $100,000, $35; in excess of $100,000, $10 for each additional $100,000 or fraction thereof.

In place of the usual fees for incorporation all corporations pay an organization tax of 1 per cent on their capital. (See under State revenues, above.)

F. THE INCOME TAX.

There is no income tax in Kentucky.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the method of assessment and of equalization are the same for county as for state taxation.

2. *Rate—*

The rate is fixed by the fiscal court of each county. It may not exceed 50 cents on each $100 of assessed valuation, except to cover debt charges.

The court may also levy an ad valorem tax for road and bridge purposes of not more than 2½ mills on all property assessed for state and county taxation.

For salaries and expenses of juvenile courts, counties containing a city of first or second class are empowered to levy an annual tax of not less than one-fourth of 1 cent on $100.

Statutes make it a duty of the fiscal court of each county to levy a tax at a rate of not less than 10 cents on each $100 for the purpose of establishing suitable county courthouses and jails.

3. *Collection—*

Taxes for county purposes are collected as are state taxes.

B. POLL TAXES.

Poll taxes are levied by counties both in the shape of a money levy of not to exceed $1.50 per capita, which may be applied for the maintenance of the public roads and bridges, and also of work on the roads. The county fiscal court may require six days of labor from each able-bodied male over 18 and under 50 years of age in the county outside of cities and towns, and they may commute for cash or not in their discretion.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no inheritance or special corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

The counties do not receive any revenues from business taxes, licenses, or fees.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—The property included is substantially the same as for state taxation, except that municipalities may exempt manufacturing establishments for a term of not exceeding five years from time of establishment.

b. Assessment.—The assessment for municipal purposes is made by assessors, elected in the different cities, practically the same as for state taxation. But cities have an independent valuation.

c. Equalization.—Cities may have their own board of equalization.

2. *Rate—*

For limitation of the rates which may be levied, see constitution, section 157.

In general the levy is made by the council or trustees.

In cities of the first, second, third, fourth, and sixth classes the additional levy for school purposes may not exceed 50 cents per $100 of assessed valuation. In cities of the fifth class the rate is limited to 75 cents. Cities of the first class must levy a tax of not less than 36 cents per $100 for common-school purposes; cities of second class, not less than 30 cents per $100.

Cities having a juvenile court are authorized to levy a tax for salaries and expenses of same at rate of not less than one-fourth of 1 cent on $100.

3. *Collection—*

The cities provide their own tax collectors, as explained under the title "Officers."

B. POLL TAXES.

In all cities the council or other legislative authority has power to levy on all adult males a poll tax of not more than $1.50.

C. THE INHERITANCE TAX.

Municipalities do not share in the inheritance tax.

D. CORPORATION TAXES.

Corporations generally are taxed on their property and franchises for municipal purposes in the same manner as for state purposes.

In cities of the first class, street railway, telephone, and gas and electric light plants may be taxed from 2½ to 3½ per cent on their gross receipts, the assessment being made by the state board of valuation and assessment.

E. BUSINESS TAXES, LICENSES, AND FEES.

Liquor licenses in cities may be issued under the authorization of the city council. The rates are graded according to the class of city. The common council or other legislative authority may in cities of all classes impose license fees on stock used for breeding purposes, and on franchises, trades, occupations, and professions.

In addition to its right to tax certain undertakings under the police power, a city may classify lawful occupations, providing a reasonable basis for classification exists and may levy a license tax on such business as classified. But the court of appeals held (1912) that where the net profit of a trading stamp business was only $500, a license tax of $300 was invalid, it being unreasonable, oppressive, and prohibitory. (151 S. W. Rep., 932.)

School Revenues.

(See Constitution, sec. 184, above.)

The state maintains a permanent school fund, the income from which is apportioned among the counties on the basis of the number of children of school age. The state also levies a tax of 26 cents on each $100 of valuation for the maintenance of schools. The county may levy a tax for school purposes not to exceed 20 cents on each $100 of the assessed valuation, and a capitation tax of not more than $1. Graded common school districts may levy a tax not to exceed 50 cents, and subdistricts of the county may levy a tax of not more than 25 cents on each $100 of valuation.

LOUISIANA.[1]

Louisiana has a revenue system providing for the general property tax and an extensive list of license taxes. There is also an inheritance tax which is peculiar in that it does not apply to estates which have borne their just proportion of taxes. The characteristic feature of the system is the complete uniformity of state and local taxation. The constitution of 1898 embodied nearly all of the important provisions of the revenue laws.

CONSTITUTIONAL PROVISIONS.

ART. 48. The general assembly shall not pass any local or special law on the following specified subjects:

* * * * * *

SEC. 16. Exempting property from taxation.

ART. 198. No person less than 60 years of age shall be permitted to vote at any election in the state who shall not * * * have paid, on or before the 31st day of December of each year, for the two years preceding the year in which he offers to vote, a poll tax of $1 per annum, to be used exclusively in aid of the public schools of the parish in which such tax shall have been collected, which tax is hereby imposed on every male resident of this state between the ages of 21 and 60 years. Poll taxes shall be a lien upon assessed property only, and no process shall issue to enforce collection of the same except against assessed property. (This provision does not apply to deaf, dumb, or blind persons.)

ART. 224. The taxing power may be exercised by the general assembly for state purposes, and by parishes and municipal corporations and public boards, under authority granted to them by the general assembly, for parish, municipal, and local purposes strictly public in their nature.

ART. 225. Taxation shall be equal and uniform throughout the territorial limits of the authority levying the tax, and all property shall be taxed in proportion to its value, to be ascertained as directed by law: *Provided*, The assessment of all property shall never exceed the actual cash value thereof: *And provided further*, That the taxpayers shall have the right of testing the correctness of their assess-

[1] This compilation is derived mainly from the following sources: Constitution and Revised Laws of Louisiana, by Solomon Wolff; second edition, 1904.
Revenue Law of Louisiana, by C. V. Porter, jr., and Payne Breazeale, 1911.
Session Laws to 1912.

ments before the courts of justice. In order to arrive at this equality and uniformity, the general assembly shall, at its first session after the adoption of this constitution, provide a system of equality and uniformity in assessments, based upon the relative value of property in the different portions of the state. The valuations put upon property for the purposes of state taxation shall be taken as the proper valuation for purposes of local taxation in every subdivision of the state.

ART. 226. There shall be, and is hereby, created a state board of appraisers, whose duty it shall be to assess the property belonging to corporations, associations, and individuals employed in railway, telegraph, telephone, sleeping car, and express business throughout the state of Louisiana, which board of appraisers shall be composed of the auditor and other members corresponding in number to the congressional districts of the state, to be elected by the governor, treasurer, attorney general, and secretary of state, one member from each congressional district, for the term of four years, and the general assembly shall fix the compensation of said board.

ART. 227. The taxing power shall be exercised only to carry on and maintain the government of the state and the public institutions thereof, to educate the children of the state, to preserve the public health, to pay the principal and interest of the public debt, to suppress insurrection, to repel invasion or defend the state in time of war, to provide pensions for indigent Confederate soldiers and sailors, and their widows, to establish markers or monuments upon the battlefields of the country commemorative of the services of Louisiana soldiers on such fields, to maintain a memorial hall in New Orleans for the collection and preservation of relics and memorials of the late Civil War, and for levee purposes, as hereinafter provided.

ART. 228. The power to tax corporations and corporate property shall never be surrendered nor suspended by act of the general assembly.

ART. 229. The general asembly may levy a license tax, and in such case shall graduate the amount of such tax to be collected from the persons pursuing the several trades, professions, vocations, and callings. All persons, associations of persons, and corporations pursuing any trade, profession, business, or calling, may be rendered liable to such tax, except clerks, laborers, clergymen, schoolteachers, those engaged in mechanical, agricultural, and horticultural pursuits, and manufacturers other than those of distilled, alcoholic, or malt liquors, tobacco, cigars, and cottonseed oil.

Those engaged in the business of severing natural resources, as timber and minerals, from soil or water whether they thereafter convert them by manufacturing or not, may also be rendered liable to a license tax, but in this case the amount to be collected may either be graduated or fixed according to the quantity or value of the product at the place where it is severed.

No political corporation shall impose a greater license tax than is imposed by the general assembly for state purposes. This restriction shall not apply to dealers in distilled, alcoholic, or malt liquors.

The general assembly shall have authority to provide that municipalities levying license taxes equal in amount to those levied by police juries for parochial purposes shall be exempted from the payment of such parochial license.

ART. 230. The following shall be exempt from taxation and no other, viz: All public property; places of religious worship or burial; the rectories and parsonages of churches and grounds thereunto appurtenant, used exclusively as residences for the ministers in charge of such churches; all charitable institutions; all buildings and property used exclusively for public monuments or historical collections, colleges, and other school purposes; the real and personal estate of any public library, and that of any other library association used by or connected with such library; all books and philosophical apparatus, and all paintings and statuary of any company or association kept in a public hall: *Provided*, That the property so exempted be not leased for purposes of private or corporate profit or income. There shall also be exempted from taxation household property to the value of $500.

There shall be exempt from taxation for a period of 10 years from the date of its completion, any railroad or part of railroad that shall have been constructed and completed subsequently to January 1, 1905, and prior to January 1, 1909. This exemption shall include and apply to all rights of way, roadbed, sidings, rails, and other superstructures upon such rights of way, roadbed or sidings; and to all depots, station houses, buildings, erections, and structures appurtenant to such railroads and the operation of the same; but shall not include the depots, warehouses, station houses, and other structures and appurtenances, nor the land upon which they are erected at terminal points, and for which franchises have been granted and obtained; whether same remain the property of the present owner or owners, or be transferred or assigned to any corporation or corporations, person or persons whomsoever: *And provided further*, That this exemption shall not apply to double tracks, sidings, switches, depots or other improvements or betterments which may be constructed by railroads now in operation within the state, other than extensions or new lines constructed by such railroads.

The property or real estate belonging to any military organization of the state of Louisiana which is used by the State National Guard or militia for military purposes, such as arsenals or armories, while so used, shall be exempt from taxation.

Steamship companies organized under certain prescribed conditions, together with their capital stock and all their property, corporeal and incorporeal, shall be exempt from all taxes and licenses, state, parish, levee, and municipal, both general and special, exclusive of wharfage, shed or levee dues, for 15 years from date of filing with the secretary of state proof that their authorized capital stock has been paid in full in cash.

In addition to the property now exempted from taxation by existing laws, there shall also be exempted from taxation loans made upon the security of mortgages granted upon real estate situated in this state as well as the mortgages granted to secure the said loans, and the notes, bonds, or other written instruments evidencing the said loans, whether in the hands of the mortgagee, or his or their transferees; and all loans made by life insurance companies to their policyholders, upon the sole security of policies held by the borrower in the company making the loans, as well as all notes or other written instruments evidencing such loans, that in the case of loans upon policies of life insurance, as aforesaid, the rate of interest charged upon such loans does not exceed 5 per cent per annum discount.

By amendment to the constitution adopted in 1912 corporations organized for the sole purpose of lending money on country real estate situated in Louisiana at not more than 6 per cent to the borrower, with power to negotiate and handle local securities, are to be exempt from taxation for 20 years.

ART. 231. The general assembly shall levy an annual poll tax of $1 upon every male inhabitant in the state between the ages of 21 and 60 years, for the maintenance of the public schools in the parishes where collected.

ART. 232. The state tax on property for all purposes whatever, including expenses of government, schools, levees, and interest, shall not exceed, in any one year, 6 mills on the dollar of its assessed valuation, and, except as otherwise provided in this constitution, no parish, municipal or public board tax for all purposes whatsoever, shall exceed in any one year 10 mills on the dollar of valuation: *Provided*, That for giving additional support to the public schools, and for the purpose of erecting and constructing public buildings, public schoolhouses, bridges, wharves, levees, sewerage work, and other works of permanent public improvement, the title to which shall be in the public, any parish, municipal corporation, ward, or school district may levy a special tax in excess of said limitation, whenever the rate of such increase and the number of years it is to be levied and the purpose or purposes for which the tax is intended, shall have been submitted to a vote of the property taxpayers of such parish, municipality, ward, or school district entitled to vote under the election laws of the state, and a majority of the same in numbers, and in value, voting at such election shall have voted therefor.

ART. 233. (Provides for the sale of property for delinquent taxes, for its redemption, and for the limitation of actions therefor, etc.)

ART. 234. The tax shall be designated by the year in which it is collectible, and the tax on movable property shall be collected in the year in which the assessment is made.

ART. 235. The legislature shall have power to levy solely for the support of the public schools, a tax upon inheritances, legacies, and donations: *Provided*, That no direct inheritance, or donation, to an ascendant or descendant, below $10,000 in amount or value shall be so taxed: *Provided further*, That no such tax shall exceed 3 per cent for direct inheritances and donations to ascendants or descendants, and 10 per cent for collateral inheritances, and donations to collaterals or strangers: *Provided*, That bequests to educational, religious, or charitable institutions shall be exempt from this tax.

ART. 236. The tax provided for in the preceding article shall not be enforced when the property donated or inherited shall have borne its just proportion of taxes prior to the time of such donation or inheritance.

ART. 238. (Provides for a 1-mill tax for levees.)

ART. 239. (Provides for levee districts and a 10-mill tax on property therein.)

ART. 242. Corporations, companies, or associations organized or domiciled out of the state, but doing business therein, may be licensed and taxed by a mode different from that provided for home corporations or companies; provided said different mode of licenses shall be uniform, upon a graduated system, and said different mode of taxation shall be equal and uniform as to all such corporations, companies, or associations that transact the same kind of business.

ART. 243. All the articles and provisions of this constitution regulating and relating to the collection of state taxes and tax sales shall also apply to and regulate the collection of parish, district, municipal, board, and ward taxes.

ART. 270. (Provides that the general assembly may authorize parishes, etc., to levy special taxes by vote of the property tax payers for special improvements and for railroads.)

ART. 281. (Provides for special taxes and issuance of bonds in aid of public improvements in municipal corporations, parishes, and school districts, drainage and sewage districts. Total tax rate to be not more than 5 mills on the dollar per annum, nor total bonded indebtedness to be for more than one-tenth of the assessment, in each of the foregoing political subdivisions.)

ART. 291. (Provides for a road district tax to be levied by the police jury of at least 1 mill and a per capita tax of not more than $1 on all able-bodied males between 18 and 55 years of age, and license taxes of not less than 25 cents nor more than $1 on vehicles.) Other taxes may be levied not to exceed 5 mills for five years for road and bridge purposes.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The assessors, who are appointed by the governor, the senate concurring: 7 for the parish of Orleans, who receive salaries; and 1 for each of the other parishes, who receive commissions on taxes assessed.

(2) The police juries of the various parishes, Orleans excepted, and the city council of New Orleans, who act as boards of review and levy parish taxes.

(3) The sheriff of each parish is ex officio collector of state and parish taxes, except Orleans Parish, where the voters elect one tax collector.

(4) The state board of appraisers, composed of the auditor and one member from each congressional district, elected by the governor, lieutenant governor, treasurer, attorney general, and secretary of state, whose duty it is to assess the operative property belonging to corporations, associations, and individuals employed in railway, telegraph, telephone, sleeping-car, and express business.

(5) The state board of equalization (board of commissioners) composed of one member from each congressional district of the state, elected for a term of four years. Duty: To equalize the assessments levied on all classes of real and personal property between the various parishes of the state, except property assessed by the state board of appraisers.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All property situated in the state, except such as is expressly exempt, is subject to taxation.

(1) and (2) The term "property" is defined to include all real estate; interests in ships or vessels used in the waters of the state; railroads, roads, canals, and other ways of communication; engines, boilers, etc.; telephone and telegraph lines; machines and machinery; vehicles; patents, copyrights, trademarks, privileges, charters, and franchises; lumber, brick, and other building materials; all movable property; all personal property; consigned goods; liquors; and many other enumerated articles. All crops, whether garnered or growing, are regarded as attached to the land.

The term "real estate" is held to mean and include not only land, city, town, and village lots, but all things pertaining, and all structures thereon and other appurtenances thereto, as pass to the vendee by the conveyance of the land or lot.

The phrase "personal property" or "movable property" is held to mean and include all things other than real estate which have any pecuniary value, all moneys, credits, investments in bonds, stocks, franchises, shares in joint-stock companies or otherwise, rights to cut and remove or use standing trees or timber from the lands of another whether the time to do so be limited or not, all standing timber or trees owned by any person other than the owner of the land upon which it or they stand. In all cases where the ownership of standing trees or timber, or the right to cut standing trees or timber, is in any person other than the owner of the land upon which the trees or timber stand, the trees or timber, or the right to cut and use the same, as the case may be, shall be assessed to the owner of such right or trees or timber for taxation in the parish where the trees or timber are situated.

No deduction from cash on hand is allowed for any money owed.

Assets of banking corporations whose shares of stock are taxed are exempt.

(3) The exemptions are all stated in the constitution. (See art. 230.)

b. Assessment.—There is but one assessment for state, parish, and municipal purposes, and that is made by the parish tax assessor, except as specified below. The assessor makes up the list for each taxpayer, who is required to furnish all needful information and to sign and swear to the list, except that taxpayers in the parish of Orleans are to make return of property sworn to. The oath also covers the valuation of lands. In assessing mercantile firms the average capital is to be ascertained. The assessor in arriving at values is to acquaint himself with the amount of insurance carried and the purchase price paid, and must examine the records of mortgages and conveyances, examine books and accounts. The assessment

must be at actual cash value and is made on the 1st of March "on the basis of the condition of things that existed on the 1st day of January." The words "actual cash value" are held to mean a price that any piece of real estate or personal property or movable property would sell for, for cash in the ordinary course of business, free of all incumbrances, otherwise than by forced sale.

Making a false tax list is punishable as perjury, and failure to make a list works estoppel of the rights of the taxpayer to contest the assessments.

Shares of stock of national banks, state banks, banking companies, firms or associations are assessed to the shareholders at the place where the bank is located and at the value as shown by the books less the real estate taxed to the bank, tax to be paid by the bank, etc., which shall be entitled to collect from stockholders.

All property and assets of domestic life insurance companies are assessed as to a natural person in the parish or town where its business is located in its charter.

Corporations, other than the above, are assessed upon their property.

The real estate, roadbeds, roads, iron, tracks, superstructures, excavations, and channels of railroads, canals, and other transportation or telegraph companies, are assessed in the parish where located; all other property is taxed at the principal office; but the rolling stock or movable property of such corporations whose lines lie only partly within the state is assessed on the ratio of miles in the state to total mileage. This assessment is made by the state board of appraisers.

c. Equalization.—The police juries (in New Orleans, a committee of the city council) act as a board of reviewers to revise and correct the assessment rolls and to pass upon complaints. But they can not change any valuations without the concurrence of the assessors. If concurrence can not be had, the assessment as made by the board of review stands unless otherwise ordered and adjudged by the courts as provided. But the taxpayer may in any event bring action for relief.

The state board of equalization equalizes assessments levied on all classes of real and personal property, except property assessed by the state board of appraisers, between the various parishes of the state.

2. *Rate*—

The rate is fixed by statute.

In 1912 it was $1\frac{7}{8}$ mills on the dollar for interest, $\frac{1}{16}$ of a mill on the dollar for levees, $1\frac{1}{16}$ mills on the dollar for public education, $1\frac{7}{8}$ mills on the dollar for general purposes, $\frac{1}{16}$ of a mill on the dollar for Confederate pension fund, and $\frac{1}{16}$ for road fund; total, $5\frac{7}{8}$ mills.

A special tax of one-fourth of 1 mill is to be assessed for good roads.

A tax of one-fifth of 1 mill is to be assessed for pensioning Confederate soldiers and their widows.

The total rate for state purposes, including special taxes for roads and pensions, can not exceed 6 mills on the dollar of assessed valuation.

Boards of commissioners of the various drainage districts are authorized to levy and collect certain taxes to cover cost of drainage extensions, etc.

3. *Collection*—

State taxes are collected by the sheriff (in Orleans Parish by one tax collector). The lien for taxes attaches on the day the tax roll is completed and filed with the recorder of mortgages, which is to be as soon as possible after September 1 (June 1 in case of the parish of Orleans), and this lien becomes a prior mortgage on December 31, at which time taxes begin to draw interest at 10 per cent per annum. Taxes on movable property are payable on the first day of the month next succeeding the filing of the tax roll, but forced collections are not made before October 1, unless the collector fears they may be lost. In the case of delinquent taxes the taxpayer bears the expense of notice, advertisement, and sale. Taxpayers may point out the particular parcels of property to be sold, but the tax collector may seize movables without notice.

Tax collectors, except the tax collector of the parish of Orleans, are paid by commissions of 5 per cent on all taxes and licenses for the first $75,000 collected; 2 per cent on the next $45,000; and 1 per cent on all amounts over $120,000 collected; provided that no one of them shall ever receive more than $8,000 per annum for the collection of all taxes. The tax collector of the parish of Orleans receives a straight salary of $5,000 per annum. Regular fees are charged for seizure and sale of property.

B. POLL TAXES.

The constitutional poll tax of $1 is collected by the collectors of taxes and by them paid over to the parish for the maintenance of the public schools of the parish where collected.

C. THE INHERITANCE TAX.

There shall be levied solely for the support of the public schools, on all inheritances, legacies, and other donations causa mortis, to the direct descendants or ascendants of the decedent, a tax of 2 per cent, and on all dispositions to collateral relatives, or strangers, a tax of 5 per cent on the actual cash value. The tax is not imposed: (1) On any inheritance, legacy, or donation causa mortis to any ascendant or descendant of decedent below $10,000 in value; (2) on any legacy or other donation causa mortis to or in favor of any educational, religious, or charitable institution; (3) when the property bequeathed or donated has borne its just proportion of taxes prior to the time of such donation. Interest at the rate of 2 per cent per month begins to run six months after the death of the decedent. This tax is collected as other state taxes, is remitted to the state treasurer, and by him disbursed to the different parishes for the benefit of the public schools therein.

D. CORPORATION TAXES.

Certain corporations are specially taxed under the system of license taxes. (See particularly E. Manufacturers, Banks, Insurance companies, Foreign corporations.)

E. BUSINESS TAXES, LICENSES, AND FEES.

Manufacturers.—In 25 classes, according to gross annual receipts, The lowest class consists of those with receipts less than $25,000 per annum, for which the tax is $15, and the highest class consists of those whose receipts are $10,000,000 or more, in which case the tax is $8,000.

Banks.—In 14 classes, according to capital and surplus. The lowest class consists of those with a nominal capital and surplus of $50,000 or less, and the highest, of $5,000,000 or more. The rates range from $50 to $4,500.

Private banks.—In 4 classes, according to capital invested. The lowest class consists of those whose capital is under $150,000, and the highest, of those whose capital is $500,000 or more. The rates range from $75 to $500.

Factors, commission men, and brokers.—In 17 classes. The lowest class consists of those whose gross annual commissions are $5,000 or under; the highest, of those with commissions of over $250,000. The rates range from $25 to $1,750.

Cotton and stock brokers, where the sales of cotton are made for future delivery and the sales of stocks are for either present or future delivery.—License tax: When the number of contracts entered into is less than 500,000, 20 cents on each and every contract; on each and every contract over 500,000, 10 cents.

Pawnbrokers.—With capital of $50,000 or more, $500; with capital of less than $50,000, $375.

Money lenders and brokers.—In six classes: First class, capital, $250,000 or more, $3,000; second class, capital, $100,000 to $250,000, $2,000; third class, $75,000 to $100,000, $1,500; fourth class, $50,000 to $75,000, $1,200; fifth class, $25,000 to $50,000, $600; sixth class, less than $25,000, $300.

Itinerant agent selling stocks or bonds of any corporation to secure permission from secretary of state, upon payment of $1, entitling him to secure from the sheriff of the parish a license to conduct business in such parish upon payment of $5 per annum.

Wholesale mercantile business.—In 16 classes. The lowest class consists of those whose gross sales are $250,000 or less, and the highest, of those whose gross sales are $7,000,000 or over. The rates range from $50 to $3,500.

Retail mercantile business.—In 24 classes. The lowest class consists of those whose gross sales are $5,000 or less, and the highest, of those whose gross sales are $3,500,000 or over. The rates range from $5 to $3,500.

Insurance companies.—(*a*) Life and accident companies, in 149 classes, according to gross premiums received in the state. The lowest consists of those whose gross premiums are less than $30,000 and the highest, of those whose gross premiums are $1,500,000 or more. The rates range from $120 to $9,000. (*b*) Fire, marine, and other insurance companies, in 30 classes, according to gross premiums received in the state. The lowest consists of those whose gross premiums are $15,000 or less, and the highest, of those whose gross premiums are $300,000 or more. The rates range from $150 to $4,500. Plate glass and steam boiler inspection insurance companies pay one-third of such rates.

Life, accident, sick benefit, or physical disability insurance companies doing business on the fraternal plan shall be granted license or renewal upon payment to the secretary of state the sum of $25.

For the purpose of defraying the expenses of the state insurance rating board, and the expenses of the fire marshal of the state, a license tax of two-fifths of 1 per cent is levied on the business of each fire, tornado, and windstorm insurance company, in addition to the state license, on the total amount of its annual premiums (less return premiums and reinsurance in authorized companies).

Property owners soliciting insurance on their own property from companies not authorized to do business in the state are required to pay a license fee of $20 to the secretary of state and an additional tax of 3 per cent on gross premiums (less return premiums).

Transfer and express lines, except railroads running outside of cities and towns, tugboats, collection agencies, storage warehouses, and landings.—In 10 classes, according to gross annual receipts. The lowest consists of those whose gross receipts are under $25,000, and the highest, of those whose gross receipts are $500,000 or more. The rates range from $30 to $400. Warehouses receiving less than $350 are exempt.

Storage of sugar and molasses.—In 9 classes, according to gross annual receipts. The lowest consists of those whose gross receipts are less than $3,000, and the highest, of those whose gross receipts are $20,000 or more. The rates range from $75 to $1,000.

Urban horse, steam, or electric railroads.—Three-eighths of 1 per cent of the annual gross receipts; but in cities of less than 50,000 inhabitants, three classes: First class, gross receipts $25,000 or over, $100; second class, gross receipts over $3,000 and under $25,000, $50; third class, gross receipts $3,000 or less, $15.

Debenture, redemption, loan, and investment companies.—In 10 classes, according to gross receipts, the lowest consisting of those whose gross receipts are $10,000 or less; the highest of those whose gross receipts are $300,000 or more. The rates range from $75 to $3,000.

Carrying on the business of gaslight, electric light, waterworks, shoot the chutes, miniature railroads, sawmills employing 10 or more hands, telegraphing (including local and district telegraph), telephoning, express company, cotton compress or ginnery, cotton pickery, slaughterhouse, distillery and rectifying alcoholic or malt liquors, brewing ale, beer, porter, or other malt liquors; manufacturing tobacco, cigars, and cigarettes; refining sugar and molasses, or either of them; manufacturing cottonseed oil, oil cake, or cottonseed meal.—With certain exemptions, in 20 classes, according to gross annual receipts: The lowest consisting of those whose gross receipts are under $15,000, and the highest of those whose gross receipts are $2,500,000 or over. The rates range from $20 to $6,250.

Theaters, opera houses, moving-picture exhibitions, etc.—In 13 classes, according to the number of seats or space for seats: First class, 1,000 seats or more, $400; second class, 750 to 1,000 seats, $300; third class, 500 to 750 seats, $250; fourth class, 400 to 500 seats, $175; fifth class, 300 to 400 seats, $100; sixth class, 200 to 300 seats, $75; seventh class, 100 to 200 seats, $60; eighth class, seats less than 100, $50. In cities of from 10,000 to 50,000, two classes—(1) 500 seats or over, $100; (2) less than 500 seats, $75. In towns under 5,000, $10 per 1,000 inhabitants. For any place where cancan, codache, or similar female dancing or sensational performances are held—In cities of 25,000 inhabitants or over, $5,000; in other cities, $2,500.

Museums, menageries, circuses, traveling shows.—In 11 classes, according to number of attachés: The lowest is one person; the highest, 100 or over. The rates range from $30 to $500.

Agents for railroad and steamship tickets.—Representing one company, $25; two companies, $40; three or more companies, $50.

Peddlers and hawkers, other than vendors of ice.—On foot, $50; on horseback, $60; one-horse vehicle, $75; two-horse vehicle, $100; water craft, $200; peddlers of poultry, eggs, vegetables, and fruit pay one-fifth of such graded license; no charge for vending own produce.

Hotels and lodging houses.—In 10 classes, according to the number of rooms: The lowest, 6 to 9 rooms (under 6 exempt); the highest, 300 or more. The rates range from $40 to $600. Lodging houses pay one-half, and boarding houses 60 per cent of rates of hotels.

Billiard tables, etc., and bowling alleys, $10 for each table or alley.

Soda water, mead, confections, etc.—In seven classes, according to gross sales: The lowest consists of those whose gross sales are less than $2,000, and the highest, of those whose gross sales are $10,000 or more. The rates range from $5 to $50.

Contractors, master builders, and mechanics.—In seven classes, based on gross annual receipts ranging from less than $10,000 to $500,000 or more, the rates ranging from $10 to $150.

Agencies for steamboats, drays, trucks, cabs, livery stables, undertakers, toll bridges, ferries, stevedores, and billposters.—In 13 classes based on gross annual receipts, the lowest amount being

less than $750 and the highest $20,000 or more, the rates ranging from $5 to $120.

Physicians, attorneys at law, editors, dentists, oculists, photographers, jewelers, etc., graded the same as in the preceding paragraph, with one-half those rates, but never less than $5.

Retail liquor.—When gross receipts are $50,000 or more, license $1,600; when between $40,000 and $50,000, license $1,400; when between $30,000 and $40,000, license $1,200; when between $20,000 and $30,000, license $900; when between $10,000 and $20,000, license $600; when between $5,000 and $10,000, license $400; when less than $5,000, license $200. Only one-half of above licenses where beer or wine are sold exclusively. Minimum parish or municipal license $500; one-half for beer or wine.

Wholesale dealers in malt liquors containing less than 2 per cent of alcohol (near beer), shall pay an annual license tax, graduated as follows: First class, gross sales $10,000, $100; second class, gross sales $5,000 to $10,000, $75; third class, gross sales under $5,000, $50; retail dealer, first class, gross sales $5,000 or more, $100; second class, gross sales $2,000 to $5,000, $75; third class, gross sales less than $2,000, $50.

Selling less than 5-gallon lots of alcoholic liquors in connection with the business of retail merchant, grocer, oyster houses, or confectionery, $100.

Traveling vendors of stoves, lightning rods, clocks, $200; trading stamp companies, when gross receipts are more than $200,000, license $10,000; from $150,000 to $200,000, license $7,500; less than $100,000, license $5,000.

Foreign corporations.—Banks, etc., 2½ per cent on gross profits of money loaned and exchanged, bought, or sold, but with a minimum of $1,000, but this minimum does not apply to those companies or corporations lending money, secured solely by mortgage on real estate; telegraph companies, $3 per $100 of gross receipts; telephone companies, $5 upon each $1,000 of gross receipts; electric light and power companies, business of renting motors, fans, and other electric appliances, $5 on each $1,000 of gross receipts; express companies, $10 on each $1,000 of gross earnings; sale of coal oil, petroleum, naphtha, benzine, turpentine, or other mineral oils, $7 per $1,000 of such sales; dealers in meats, cured, salted, smoked, or canned, $2 per $1,000 of proceeds. These licenses are payable at the principal place of business.

Benevolent or fraternal societies, etc., who solicit membership from house to house—in four classes, according to gross annual collections: The lowest consists of those whose gross annual collections are $20,000 or less, and the highest, of those whose gross annual collections are $50,000 or more. The rates range from $150 to $375.

Pistols, rifles, and cartridges.—Wholesale dealers, gross receipts, $10,000 or more, $50; $5,000 to $10,000, $35; under $5,000, $25. Retail dealers, gross receipts, $5,000 or more, $200; $2,500 to $5,000, $150; under $2,500, $100; provided the foregoing license shall not apply to .22 and .25 caliber rifles and .22 and .25 caliber rifle cartridges.

Race tracks.—In cities of 100,000 or over, $2,500; in cities of 50,000 to 100,000, $1,000; in cities of 25,000 to 50,000, $500; in cities of 10,000 to 25,000, $100; in cities of less than 10,000, $50.

For the purpose of creating a state banking fund, every state banking association, savings bank, and trust company shall be examined and assessed fees graded according to aggregate amount of the entire resources of each such corporation as follows: Gross assets $50,000 or less, $15; $50,000 to $100,000, $25; $100,000 to $250,000, $35; $250,000 to $500,000, $50; $500,000 to $750,000, $65; $750,000 to $1,000,000, $75; $1,000,000 to $2,000,000, $90; $2,000,000 to $3,000,000 $100; $3,000,000 to $4,000,000, $150; $4,000,000 to $5,000,000, $175; $5,000,000 to $7,500,000, $200; $7,500,000 to $10,000,000, $250; $10,000,000 to $15,000,000, $300; $15,000,000 to $20,000,000, $350; $20,000,000 to $30,000,000, $400; over $30,000,000, $500; auditor of public accounts to collect same and place to credit of state banking fund.

Annual license tax on the gross annual cutting or severing timber from the soil, cutting pine timber for saw logs, etc., three-fourths of 1 cent per 1,000 feet log scale; hardwood timber, three-fourths of 1 cent per 1,000 feet; cutting staves, 1 cent per hundred bolts; telephone and telegraph poles and piling, three-tenths of 1 cent for each pole and piling and 1 cent for each pile; extracting turpentine from standing trees, one-half of 1 cent each year for each cup or box.

Seines and other devices for purpose of catching salt water shrimp—residents—60 to 200 fathoms in length, license fee, $5; 200 to 300 fathoms, $7.50; over 300 fathoms, for every additional 20 fathoms, $1; nonresidents, 60 to 200 fathoms, $50; over 200 fathoms, for each additional 20 fathoms, $5. Proceeds to be turned into state treasury and placed to credit of board of commissioners for the protection of bird, game, and fish. License to be issued by said board.

License to fish, seining, net 130 to 200 fathoms in length, $5; 200 to 300 fathoms, $7.50; over 300 fathoms, an additional license fee of $1 for each 20 fathoms over 300 fathoms.

Mining companies pay on gross annual output as follows: Oil, two-fifths of 1 cent per barrel; natural gas, one-fifth of 1 cent on each 10,000 cubic feet; sulphur, 2 cents per ton; salt, one-fifth of 1 cent per ton. These moneys to be placed to credit of "conservation fund."

Hunting.—Residents hunting in their own parish outside limits of wards in which domiciled pay a license fee of 50 cents; $3 for a state-wide license; $15 for nonresident; $10 for persons hunting for profit.

Wholesale buying or shipping of fresh water fish.—Residents, from less than 50 to more than 250 barrels the license ranges from $5 to $30; nonresidents, from 50 to 250 barrels, license ranges from $15 to $150. Vessels purchasing fresh water fish.—Tonnage less than 5 tons, $10; more than 5 and not exceeding 15 tons, $15; over 15 tons, $20. Buying and selling of diamond-backed terrapin.—Residents, $25; nonresidents, $100.

Dogs, not more than $2 per head, the sum to be paid to the respective school boards of the parish in which licenses and penalties are collected.

Fees.—Examination to practice midwifery, $10. Physician—examination fee, $25; certificate fee, $1; fee for temporary permits, $10.

Itinerant horse traders, $100 in each parish where doing business.

Public auctioneers, license fee of $25 for benefit of public school fund.

For purpose of supporting a "fire prevention bureau," the fire insurance companies doing business in the state are assessed a proportionate part of the expenses of maintaining such bureau.

An honorably discharged Confederate soldier may exercise any of the following privileges in the parish of his residence without payment of the privilege tax or license: Auctioneer, barber, bicycle dealer, contractor, cotton weigher, magic lantern, feed stable, livery stable, lunch stand, restaurant, peddler, news stand, or merchant when stock of goods does not exceed $1,000; provided such person does not own property in excess of $1,000.

F. THE INCOME TAX.

There is no income tax in Louisiana.

Parish Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the methods of its assessment and equalization are precisely the same for parish purposes as for state.

2. *Rate—*

Levied by the police juries, and not to exceed 10 mills on the dollar for general purposes, including schools, except in the city of New Orleans and parish of Orleans.

3. *Collection—*

Taxes for parishes are collected in precisely the same manner as state taxes.

B. POLL TAXES.

There are no parish poll taxes.

C. THE INHERITANCE TAX.

The inheritance tax is distributed to the parishes for the sole use of the public schools.

D. CORPORATION TAXES.

Corporation taxes take the form of license taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

Parishes may levy licenses not to exceed those levied by the state; except that they are required to levy a license tax of not less than $500 on dealers in distilled, alcoholic or malt liquors, unless the sale of said liquor be prohibited by popular vote under the local option law; provided that for dealers in malt and vinous liquors exclusively the license tax shall be not more than one-half of that collected by the state and also that, where any municipality in a parish levies a liquor license equal in amount to the parish liquor license, the latter is not collectible.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the methods of its assessment and equalization are precisely the same as for state purposes.

2. *Rate—*

The mayor and board of aldermen of every city, town, and village shall have power to levy for general revenue purposes not to exceed 10 mills; special taxes for giving additional support to public schools, erecting and constructing public buildings, bridges, sewerage work, etc.; in aid of public improvement or railway enterprises not to exceed 5 mills in any one year not to exceed 10 years; and not to exceed 5 mills to pay interest on public bonds for a period not to exceed 40 years.

3. *Collection—*

The same as for state taxes.

B AND C. POLL TAXES AND THE INHERITANCE TAX.

Municipalities do not share in these taxes.

D. CORPORATION TAXES.

Levied as licenses, which see.

E. BUSINESS TAXES, LICENSES, AND FEES.

Municipalities may levy the same licenses as the state, but the rates may not exceed the state rates; except they may levy any amount of license they choose over $500 against dealers in distilled, alcoholic or malt liquors, unless the sale of said liquors be prohibited by popular vote under the local option law.

School Revenues.

The school funds consist of a tax of not less than 3 mills on the dollar, collected by the police juries of the several parishes and boards of trustees and municipal councils of incorporated cities and towns (the parish of Orleans excepted); the proceeds of the poll tax in each parish and of the inheritance tax, interest on public funds and donations; the local school taxes, and public auctioneer's fee of $25; proceeds of dog tax; and fines derived from violation of game laws.

Levee Districts.

Laws for the government of levee districts authorize such districts to levy "local assessment or forced contributions" to aid in the construction and maintenance of levees within those districts. Some examples of these special assessments are as follows: (1) An acreage tax of 2½ cents on all lands and $60 per mile for all railroads situated within the district; and (2) 25 cents per bale of cotton, 25 cents per thousand pounds of sugar, 7½ cents per barrel of sirup, 5 cents per barrel of molasses, 1½ cents per sack of rough rice, and 1½ cents on a barrel of esculents produced in such district on lands subject to taxation under the provision of the acts. The act establishing a levee district fixes these taxes. They vary widely among the different districts both in rates and in articles taxed. The assessment or contribution first mentioned is spoken of in state reports as "acreage tax," and the second as "cotton and produce tax." These taxes are collected by parish officials the same as all other state taxes, and by them are returned to the state treasurer, by whom they are treated as state revenues—in law the levee districts not being municipalities.

MAINE.[1]

The general property tax is the chief feature of the revenue system of Maine. It is supplemented by a poll tax, a franchise and excise tax on corporations, an inheritance tax, and by license fees. The administration of taxes lies with the towns and other divisions of the local government, but, as the basis for the apportionment of state and county taxes, the assessments made locally are equalized once every two years by a state board.

"Wild lands" situated in unincorporated places are valued by the board of state assessors and are subject to state and county taxes. In 1909 these wild lands were organized into a forestry district and a tax of 1½ mills has since been levied by the state against the property in the district, to be used in protecting the forests from fire.

[1] This compilation is derived mainly from the following sources:
Revised Statutes of the State of Maine, compiled by John Morrill, and submitted to the legislature, January 7, 1903. Portland, Me., 1904.
The Session Laws to 1911.
Report of the Maine Tax Commission, 1908. Waterville, Me., Sentinel Publishing Co., 1908.

CONSTITUTIONAL PROVISIONS.

ARTICLE I.

SEC. 22. No tax or duty shall be imposed without the consent of the people or their representatives in the legislature.

ARTICLE IX.

SEC. 7. While the public expenses shall be assessed on polls and estates, a general valuation shall be taken at least once in 10 years.

SEC. 8. All taxes upon real and personal estate, assessed by authority of this state, shall be apportioned and assessed equally, according to the just value thereof.

SEC. 9. The legislature shall never in any manner suspend or surrender the power of taxation.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The town assessors, elected annually, as many as the town shall determine; the number is almost universally three; if the town fails to elect these officers, the selectmen shall act as assessors.

Towns having a population of 6,000 or over may elect a board of assessors to serve for a term of three years, one assessor being elected each year.

(2) The town tax collectors, elected annually; the treasurer or the constable may be tax collector.

(3) The board of state assessors, consisting of three members appointed by the governor for a term of six years, one being selected every two years. This board assesses "wild lands," has supervision over the local assessors, acts as a board of equalization, and administers the laws as to the taxation of corporations.

The town assessors are required to report to the state board, annually, under oath, the aggregate of polls, the land value, the valuation of buildings and all other improvements, and the valuation of each class of property assessed in their respective towns, also the total valuation and percentage of taxation, and itemized lists of property upon which the town has voted to affix a value for taxation purposes, and in default thereof the board of state assessors may, in its discretion, report the valuation of the estates and property and lists of polls liable to taxation in the town so in default, as it shall deem just and equitable.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

The general property tax is, strictly speaking, a town or local tax, the state and county taxes being apportioned among the towns once every two years to be raised on polls and estates in such manner as the towns shall provide. But there are so many regulations limiting and prescribing the action of the assessors which are involved in the apportionment of the state taxes and designed to secure uniformity, that there is no serious impropriety, and a number of advantages, in describing the entire tax under state revenues.

1. *Base—*

a. The property included and exempt.—All real property within the state, all personal property of inhabitants of the state, and all personal property of persons not inhabitants of the state possessed or situated in the state are subject to taxation.

(1) Real estate, for purposes of taxation, includes all lands in the state, together with the water power, shore privileges and rights, forest and mineral deposits appertaining thereto, and all buildings erected on or affixed to the same.

All townships and tracts of land, the fee of which passed from the state since the year 1850, and all interest in timber upon public lands derived by permits granted before the separation of Maine from Massachusetts; interest and improvements on land the fee of which is in the state, and interest by contract or otherwise in land exempt from taxation, are taxable. The buildings of every railroad company, whether within or without the located right of way, and its lands and fixtures outside of its located right of way are subject to taxation as "nonresident land." Land mortgaged is taxed to the person in possession. The loan is not taxable to the mortgagee, and the land is considered as that of the mortgagor until the mortgagee takes possession.

(2) Personal property, for purposes of taxation, includes all goods, chattels, money, and effects within the state or belonging to residents of the state; all vessels, at home or abroad; all obligations for money or other property; money at interest, and debts due in excess of those owed; all public stocks and securities; all shares in moneyed and other corporations within or without the state; all annuities payable to the person to be taxed when the capital of such annuity is not taxed in this state.

Stock in manufacturing corporations and of real estate corporations is not taxed, but the buildings, lands, and other property of the corporations are taxed to the corporations. Sailing vessels and barges other than steam barges, registered or enrolled under laws of the United States or any foreign government and owned wholly or partly by inhabitants of the state, are assessed at a value of $20 a ton gross tonnage when new, and at $1 less for each year for seventeen years; thereafter at $3.

Vessels and barges rebuilt to the extent of 40 per cent or more of the original order, are taxed at the same rate as vessels of one-half their age; those rebuilt or repaired by expenditures of 25 per cent but less than 40 per cent of original cost, are taxed at the rate of vessels of five-eighths their age. This rule is not applicable to steam barges.

(3) Exemptions.—The property of benevolent and charitable institutions incorporated in Maine; personalty of all literary and scientific institutions together with such realty as is occupied for their own purposes or as residences of officers; the personalty of Indians; colleges, within certain limitations; household furniture to the value of $200; wearing apparel; farming utensils, mechanics' necessary tools, and musical instruments to the value of $50 per family; churches, cemeteries, parsonages to the value of $6,000, and personal property of religious associations to the value of $6,000; mules, horses, neat cattle, swine, and sheep, less than 6 months old; produce in hands of producer; estates of poor persons; the works of any water company which furnishes water for fires free of charge; planted forests for twenty years; mines of metal for ten years; all poultry and eggs; all bonds issued after February 1, 1909, by the state or any county, municipality, village corporation or water district therein; all loans of money made by any individual or corporation and secured by mortgage on real estate situated within the state. The general exemptions of public property apply in Maine except that municipal property to be exempt must be located within the public limits and confines of the municipal corporation.

b. Assessment.—The assessment made up by the town assessors and equalized by the state board of assessors remains the basis of state and county taxes for two years. The assessment refers to the 1st of April. Personal property is assessed where the owner lives, with certain exceptions, as of property used in certain kinds of business, which is assessed where situated.

Among personal property assessed where located are all portable sawmills, and logs to be manufactured by them, and lumber that has been manufactured by them. All personal property employed in trade, in the erection of buildings or vessels, or in the mechanic arts shall be taxed in the town where so employed provided that the owner, servant, subcontractor, or agent so employing it occupies any store, storehouse, shop, mill, wharf, landing place, or shipyard therein, for the purpose of such employment.

Personal property within the state, the owner being a nonresident of the state or being unknown, is taxed where located to the owner, if known, or to the possessor, if the owner is unknown. Exceptions are vessels built (other than pleasure vessels or boats), all vessels undergoing repair or in process of construction, and all hides which are sent into, being tanned within, and to be returned out of the state.

Taxpayers are notified by general notice to bring in a list of their property and may be required to swear thereto. Failure to render a list bars all right to abatement and appeal unless the omission is explained and the list rendered at the time of seeking the abatement.

"Wild lands" are assessed by the county commissioners for county taxation, and by the legislature, upon the recommendation of the board of state assessors, for state taxes; timber and grass on reserved lands (i. e., public school fund lands) are taxed in the same way.

The nature, amount, and value of the real and personal estate liable to taxation is determined by the assessor, from the lists furnished him by the taxpayers and from such other information as he may possess or secure. Beginning with 1911, the assessors are required to "estimate and record" separately the land value exclusive of buildings of each parcel of real estate.

Debts owed may be deducted from debts due.

Corporations, except certain classes which pay special or excise taxes in lieu of property taxes, are generally taxed in the same manner as individuals.

Stocks of any bank or other corporation held by persons out of the state, except of manufacturing and real estate corporations, are assessed in the town in which the bank or corporation transacts its business. The town has a lien on the stocks and all dividends thereon until the tax and costs of collection are paid. Stocks of domestic and national banks are taxed to the owners where they reside, if residents of the state. (See state revenues, D, below.)

c. Equalization.—The valuation of real and personal property on which the state and county taxes are apportioned and levied in each town and unorganized township is finally fixed by the board of state assessors, who constitute a state board of equalization. This equalization does not affect the rolls as used for local taxation, it relates solely to the apportionment of state and county taxes.

The assessors shall abate $5 from the tax of any inhabitant who constructs and keeps in repair during the year a watering trough beside the highway well supplied with water, if such trough be two feet or more above the level of the ground and easily accessible for horses and carriages, if in the opinion of the assessors such watering trough serves as a public convenience. Any town at its annual meeting may authorize its assessors to abate not exceeding $3 of the tax of any person upon proof that he has owned and used on the ways that year cart wheels having felloes not less than 6 inches wide.

The state board makes an official visit to each county in the state at least once in every two years and personally examines the town assessors. They equalize the assessment list of each town in accordance with the full market value of the property. There is no equalization, so called, between individuals; this is accomplished by abatements made by the assessors after the taxes have been levied. The applicant may appeal to the county commissioners or to the supreme judicial court of the county when an abatement is refused by the assessor. The state board may, within one year from the assessment, if justice requires, make an abatement of any state, county, or forestry district taxes.

2. *Rate—*

The rate for state purposes is determined each year on the basis of the amounts needed to meet the appropriations made by the legislature, and the sum to be raised at such rate is apportioned among the several towns and "wild lands" properties by the board of state assessors, and such apportionment is ratified by the legislature. The treasurer of the state then sends warrants to the mayor and aldermen, selectmen, or assessors of each city, town, or plantation so taxed, requiring them forthwith to levy the sum apportioned to their town or place, and to commit their levy to the constable or collector for collection.

A tax of 1½ mills per dollar is assessed annually to support schools.

3. *Collection—*

In general, all taxes, state and local, except excise taxes and those on corporations and wild lands, are collected by the collectors or constables of the several towns and paid by them to the town treasurers who, upon demand made by warrant, remit the town's proportion of the state tax to the state treasurer. The state treasurer issues his warrants within the month prescribed specially by statute each year; when such state tax assessed against any city, town, or plantation remains unpaid, these delinquent subdivisions are precluded from drawing any school funds set apart for such city, town, or plantation so long as same remains unpaid, and, if the apportionments are unpaid 60 days after the time at which they become due, he may require the sheriff of the county to levy, by distress and sale, upon the real and personal property of any of the inhabitants of the town.

The collectors are subject to imprisonment for failure to make the collections and if any person refuses to pay his tax, the collectors may distrain any of his goods and chattels, not exempt from debt, or, if for 12 days after demand, a person neglects or refuses to pay a tax, or to show sufficient goods and chattels to pay it, the officers may commit him to jail. Persons imprisoned for nonpayment of taxes or officers for failure to collect taxes are treated as poor debtors.

Liens to secure the payment of taxes on real estate attach as of April 1, take precedence of all other claims and interest, and continue until the taxes are paid. Such liens may be enforced by action as for debt and the real estate may be attached and sold on execution issued in such action.

If any tax assessed on real estate remains unpaid on the first Monday in February in the year succeeding

the year in which the tax was assessed, the collector may sell at public auction as much of the land as is necessary to pay the tax.

There is no fixed penalty for delinquency in taxes, but interest at 1 per cent per month may be added after the time fixed by towns for payment, if the town so votes.

If, after the assessor has turned over his original assessment roll to the town collector, he desires to add other property to the roll, whether such property was omitted by mistake or otherwise, he may send to the collector a supplemental invoice and valuation. The collector is thereupon required to collect the supplemental amounts, together with the original amounts, notwithstanding that by such supplement the whole amount may considerably exceed the sum to be assessed or alter the proportion of tax allowed by (local) law to be assessed on the polls.

Warrants for state taxes on wild land plantations (i. e., municipalities of small population and with limited municipal powers) are sent direct to the assessors thereof, and these taxes are levied together with the county and municipal taxes and are collected by the collectors elected by the plantations or appointed by the assessors. State taxes and county taxes on wild lands in unincorporated places and on timber and grass on reserved lands are paid directly to the state treasurer, after advertisement of the amount. Similar warrants are sent to the municipal officers of the organized plantations in the Maine forestry district. Owners of lands in unorganized townships are also liable to pay state, county, and forestry district taxes to the state treasurer upon demand made to the landowner or agent by letter at his usual post-office address.

The timber and grass on the reserved lands shall be held to the state for the payment of such state, county, and forestry district taxes assessed against them with interest at the rate of 20 per cent a year.

B. POLL TAXES.

A poll tax is assessed upon every male inhabitant of the state above the age of 21 years, whether a citizen of the United States or an alien. Indians, persons under guardians, aged, infirm, blind, and poor persons, Civil War veterans, all soldiers and sailors receiving state pensions, students whose homes are outside the state, and soldiers of the United States are exempt.

The poll tax is not to exceed $3 and is to be not less than $1. It is assessed on each taxable person in the place where he resides on April 1. The assessors assess on taxable polls such part of the whole sum to be raised for all state, county, town, plantation, parish, or society taxes as they deem expedient. The residue of such taxes is assessed on estates. In practice, therefore, the poll tax accrues solely to the benefit of the towns.

C. THE INHERITANCE TAX.

All property transferred by will, by the intestate laws of the state, by allowance of a judge of probate to a widow or child, by deed, grant, sale, or gift, except in cases of a bona fide purchase for full consideration in money or money's worth, made or intended to take effect in possession or enjoyment after the death of the grantor, to any person, in trust or otherwise, is subject to an inheritance tax for the use of the state. An exception is where the property is transferred to or for the use of any educational, charitable, religious, or benevolent institution in the state, the property of which is by law exempt from taxation.

The rate of the tax and exemptions are as follows:

(1) Property of the value of $10,000 transferred to or for the use of a husband, wife, father, mother, child, adopted child, or adoptive parent, and $500 transferred to other lineal ancestor, other lineal descendant, the wife or widow of a son or the husband of a daughter of a decedent is exempt from taxation. When the property transferred exceeds in value the exemptions and does not exceed $50,000, the rate is 1 per cent; if in excess of $50,000 and not more than $100,000, 1½ per cent, and above $100,000, 2 per cent.

(2) Property of the value of $500 transferred to or for the use of a brother, sister, uncle, aunt, nephew, niece, or cousin of a decedent is exempt. The rate for persons of this class is, on property not to exceed $50,000, 4 per cent; more than $50,000 and not over $100,000, 4½ per cent; over $100,000, 5 per cent.

(3) Property of the value of $500 transferred to or for the use of any others than the above is exempt. Rate, property not exceeding $50,000, 5 per cent; over $50,000 and not more than $100,000, 6 per cent; above $100,000, 7 per cent.

Property of a deceased resident of Maine which is subject to inheritance taxation in another state is not taxable in Maine, provided such tax has been paid, unless the rate in the other state is less than that in Maine, in which case it is taxable in Maine, at the excess of the above Maine rates over the other rates. Likewise property of a nonresident decedent which is within the jurisdiction of the state at the time of death, if such property is subject to inheritance taxation in the state wherein deceased resided, is taxable in Maine only at the excess, if any, of the Maine rates over the rates in the other state.

D. CORPORATION TAXES.

Corporations are, in general, subject to the general property tax for state and local purposes.

Domestic corporations pay an annual franchise tax at the following rates:

If authorized capital is less than $50,000, $5; $50,000 to $200,000, $10; $200,000 to $500,000, $50; $500,000 to $1,000,000, $75; and on each additional $1,000,000 or fraction thereof, $50.

Railroads pay an annual excise tax based upon the gross receipts from transportation. The tax is assessed by the state board of assessors upon the basis of returns made to the railroad commission. Gross receipts are defined as the average receipts per mile for the entire system multiplied by the number of miles in the state. The rates are: On gross receipts less than $1,500 per mile, one-half of 1 per cent; on gross receipts from $1,500 to $1,900 per mile, three-fourths of 1 per cent; and for each additional $400 or part thereof, one-fourth of 1 per cent additional up to 5½ per cent; but in case of railroads operated exclusively for freight the maximum rate is 3 per cent.

The tax is not entirely a state tax, as each city or town in which any stock in the railroads is held is entitled to an amount equal to 1 per cent on the value of such stock as determined by the state board of assessors; provided, the total receipts from this source are sufficient to cover such payments. The tax is payable in two

instalments, one-half on July 1 and one-half on October 1, and is collected by the state treasurer. The "excise tax," together with the municipal tax on all buildings and on land and fixtures outside the right of way, are in lieu of all other taxes on the property or the capital stock.

Street railroads are taxable as other railroads, but the rates are: On average gross receipts of $1,000 per mile or less, one-fourth of 1 per cent, and for every increase of $1,000 per mile or part thereof, one-fourth of 1 per cent additional, provided that the rate shall in no case exceed 4 per cent.

Sleeping car and other car companies charging extra fares pay an excise tax of 6 per cent of the gross receipts from business done wholly within the state in lieu of all other taxes on cars and equipment.

Telegraph and telephone companies are required to pay into the state treasury an annual excise tax on gross receipts collected within the state at the following rates: When the gross receipts exceed $1,000 and do not exceed $5,000, 1½ per cent; when the gross receipts exceed $5,000 and do not exceed $10,000, 1½ per cent; when the gross receipts exceed $10,000 and do not exceed $20,000, 1½ per cent; when the gross receipts exceed $20,000 and do not exceed $40,000, 2 per cent; and for each additional $20,000, one-fourth of 1 per cent up to a maximum of 6 per cent. The tax must be paid by September 1 and is a lien on the property and franchises. Each town in which any stockholder or partner resides receives from the amount paid into the state treasury an amount equal to 1 per cent of the value of the stock or shares there held as determined by the board of state assessors, but the total so paid over must not exceed the receipts of the state. For telephone companies this tax is in lieu of all other taxes except those on real estate and on personal property not essential to the business, which are taxed as property generally is taxed.

Telegraph companies pay an ad valorem tax of 2½ per cent on all property located within the state. This tax is assessed by the state assessors by May 1 annually, and is due on September 1. Payment is made into the state treasury. This tax is in place of all state or municipal taxation on any of the telegraph property or on any of the shares of the telegraph corporations or associations.

Express companies pay an excise tax of 4 per cent of the gross receipts of business done in the state for the year ending April 1. Business done in the state includes a proportional part of all express coming into or going out of the state, but not goods in transit through the state. This tax must be paid by September 1 and is in place of all local taxation, except that real estate owned by such corporations is taxed in the municipality where situated.

Domestic life insurance companies are taxed at the rate of 2 per cent upon all premiums received from residents of the state after deducting all dividends paid to policyholders in the state. They also pay a tax of one-half of 1 per cent a year on the surplus after deducting the value of the real estate in this state, which is taxed by the municipality in which it is situated.

All other insurance companies, surety companies, and credit and title insurance companies pay an annual tax upon all premiums received on contracts made in the state, at the rate of 1½ per cent a year. The tax is computed on the net amount of premiums actually received. Foreign insurance companies must pay the same tax as their home state imposes on Maine insurance companies doing business there if greater than the above.

Exempt from this tax are premiums or assessments on policies issued on farm property.

Insurance agents may be licensed by the insurance commissioner to write insurance for foreign companies not authorized to do business in the state if the agent submits an affidavit that he is unable to procure in companies authorized to do business in the state the amount of insurance necessary to protect any given property. Agents thus licensed pay 2 per cent of the gross premiums of the preceding year less return premiums for that year.

If one insures property with an unauthorized company and the insurance is not written by a special authorized agent as above, then the insured must return to the insurance commissioner a statement under oath of the entire transaction and pay to the treasurer a tax of 5 per cent of the cost of indemnity or of the gross premium.

Savings banks incorporated in the state are taxed upon their several franchises, assessed by the board of state assessors. From the average amount of deposits, reserve fund, and undivided profits there is deducted an amount equal to the value of the United States bonds, all bonds issued after February 1, 1909, by the state of Maine, or any county, municipality, village corporation, or water district therein, the shares of corporation stocks, such as are by the law of this state free from taxation to the stockholders, and the assessed value of the real estate owned by the bank and two-fifths of the value of such other assets as are invested in the state. The difference is considered the value of the franchise. Upon the value of the franchises so ascertained the board of state assessors assesses an annual tax of five-eighths of 1 per cent. One-half shall be assessed on or before the 15th of June and one-half on or before the 15th of December, and payable semiannually within 10 days after said dates. All deposits in savings banks are exempt from municipal taxation to the bank or to the depositor, but real estate owned by the bank and not held as collateral security may be taxed by the town in which it is located. Half the proceeds of the savings bank tax goes into the school fund.

Loan and building associations pay a tax of one-fourth of 1 per cent a year on the amount of the monthly capital dues paid in by stockholders. It is assessed and payable semiannually. Capital dues are excluded from municipal taxation to the corporation or to the shareholder, but real estate not held as collateral security is taxable by the town in which it is located.

The outstanding loans of these associations other than loans made on the security of real estate of shares of the association are reported twice yearly to the board of state assessors. The association pays each year one-half of 1 per cent on the average of the semiannual amounts so returned.

Branches or agencies of foreign banking companies not national pay a tax of three-fourths of 1 per cent a year on the amount of business done in the state. This is computed by taking the daily average for each month of a six months' period of all moneys outstanding upon loans and employed in the business and then dividing the aggregate of such monthly averages by the number of months covered. The tax so ascertained is paid to the state treasurer semiannually.

Every domestic trust and banking company pays a tax of one-half of 1 per cent on the average amount of interest and time deposits ascertained by six months' periods. The value of United States bonds and shares of stocks free from taxation to stockholders is deducted. One-half is appropriated to the common schools.

All such deposits are excluded from municipal taxation to the company or the depositor.

In case any corporation fails to make returns required, the board of state assessors may make such assessment as it thinks just. Corporation taxes, with interest at 10 per cent, may be recovered in an action of debt in the name of the state.

E. BUSINESS TAXES, LICENSES, AND FEES.

The following taxes are annual unless otherwise stated:

Itinerant vendors, $25, collected by the secretary of state; resident guides, $1; nonresident guides, $20, to commissioners of inland fisheries and game. Undertakers, $1 for registration, $5 for examination; dentists, $20 for examination; physicians and surgeons, $10 for examination; goods sold at auction for benefit of parties residing out of the state, 2½ per cent of gross sales; restaurants and hotels, $1; bowling alleys, billiard tables, etc., $10; auctioneers, $2; automobiles and other motor vehicles pay a license ranging from $3 to $15, depending on the horsepower; hawkers and peddlers, in towns of of not over 1,000 inhabitants, $3; for towns of from 1,000 to 2,000 inhabitants, $6; for every 1,000 over 2,000 inhabitants, $2; in no case over $20. To hunt deer, $5; unnaturalized foreign-born resi-

dent to hunt game and birds, $15, to commissioners of inland fisheries and game; keepers of sporting camps and hunters, $5; private detectives, $50. Dogs—clerks of towns issue licenses and receive fees which are to be paid into the state treasury—$1.15 for each male, $5.15 for each fertile female; for kennel licenses, $10.15, 10 dogs or less; $20.15, excess of 10 dogs. This fund is used by the state for the reimbursement of amount paid by towns for damages by dogs and the remainder is credited to towns upon their state tax.

To secretary of state.—For certificate under seal of state, $1; filing certificate of trade-mark, $3; filing certificate of incorporation, $5; filing certificate of insurance company, $20; certificate of increase of capital stock of insurance company, $10; filing articles of incorporation—domestic corporations generally—capital stock not exceeding $10,000, $10; $10,000 to $500,000, $50; over $500,000, $50 and $10 for each $100,000; certain public service corporations, capital stock not exceeding $5,000, $25; $5,000 to $10,000, $50; $10,000 to $50,000, $100; $50,000 to $100,000, $200; over $100,000, $200 and $75 additional for each $100,000 in excess of $100,000.

To attorney general.—For certificate of approval, $5.

To bank examiner.—Licenses to foreign banking company, $20.

To treasurer of state.—Certificate, $5.

To insurance commissioner.—Certificate, $20.

To steamboat inspectors.—For each inspection, $5.

State board of examiners of undertakers and embalmers.—Examination fee, $5; issuing or renewing license, $1; reviving and renewing, $2.

Maine Agricultural Experiment Station.—Analysis fee for commercial fertilizer, $10.

F. THE INCOME TAX.

There is no income tax in Maine.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the method of assessment and of equalization are the same for the county taxes as for the state.

2. *Rate—*

In order to assess a county tax, county commissioners prepare estimates of expenses for one year and also for the succeeding year, and the county tax for both years is granted by the legislature. The commissioners then apportion the tax among the towns within the county according to the last state valuation.

3. *Collection—*

Collection is the same as for the state taxes.

B. POLL TAXES.

See State poll taxes.

C, D, AND E. THE INHERITANCE TAX, CORPORATION TAXES, AND BUSINESS TAXES, LICENSES, AND FEES.

There is no inheritance tax, neither are there any special corporation taxes or business taxes, licenses, and fees for county purposes.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the methods of assessment and equalization have been described under State revenues. The estates of residents of islands where there are no roads may be exempt from the highway tax.

2. *Rate—*

The sum to be assessed must be fixed by vote at the town meeting and is assessed on estates according to their value.

3. *Collection—*

Collection is made in the same manner as has been described under state taxes.

B. POLL TAXES.

The town assessors assess on taxable polls such part of the whole sum of state and county taxes to be raised as they deem expedient. (See State poll taxes.)

C. THE INHERITANCE TAX.

The inheritance tax is strictly a state tax.

D. CORPORATION TAXES.

For the way in which cities and towns participate in the special taxes on corporations, see state revenues, D.

E. BUSINESS TAXES, LICENSES, AND FEES.

Municipal officers may license for such amounts as they think proper, public exhibitions, places of amusement, cinematograph machines, and street lunch wagons.

Itinerant vendors pay on their stock at the last town tax rate; auctioneers, $2 per annum; auction sales, 2½ per cent of the gross amount; bowling alleys and billiard rooms, $10 per annum; wharves and fish weirs, $5 per annum; employment agencies, $1 per annum; merry-go-rounds, not over $50 per annum; taxidermists, $5 per annum; milk vendors, $1 per annum; public carriages, tax varies; employment agencies, $20 per annum.

School Revenues.

The town is the unit of administration of the common schools, all schools in the town being in charge of one general committee which has control over the expenditure of all school funds, both those raised locally and those distributed by the state. The state fund consists of a "mill tax" of 1½ mills and a further tax of 1½ mills for support of common schools. The former is distributed according to number of pupils of school age, while the latter is distributed ½ mill according to number of pupils and 1 mill according to the valuation of taxable property. The revenue from general property taxes is supplemented by one-half the proceeds of the savings bank and trust company taxes, the "mill tax" of 1½ mills, the interest at 6 per cent on the permanent fund (constituted from sales of school lands and other funds), and one-half the penalties for unlawfully employing children in each municipality.

Towns maintaining a general industrial school for 36 weeks, with an average attendance of 20 pupils, shall be reimbursed by the state in a sum equal to two-thirds of the amount spent for instruction in said school, but not more than $2,000 shall be so paid to any one town in any year.

Every town which raises for the support of common schools 4 mills or more on its valuation as fixed by the state assessors shall receive the following year from the school equalization fund a sum equal to 10 per cent of its apportionment of the state school funds for the preceding year.

An annual appropriation is made out of the state school funds of $20,000 for distribution through the equalization fund by the treasurer of state.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

A number of new registration fees were authorized, principal among them being an examination and registration fee of $25 for public accountants.

A "Blue Sky" law for the regulation of investment companies and providing for the various fees, etc., was enacted.

A registration fee for manufacturers or dealers in fungicides or insecticides, not consisting exclusively of organic matter, of $10; a registration fee of $10 for each brand of fertilizer sold.

Fees for the increase of capital stock of certain public-service corporations were changed as follows: From $5,000 to $10,000, $25; $10,000 to $50,000, $50; $50,000 to $100,000, $100; over $100,000, $100 and $75 on every $100,000 or fraction thereof in excess.

Foreign mutual insurance companies transacting factory and mill insurance only pay 2 per cent on their gross earnings in lieu of all other taxes. The rate for insuring with unauthorized companies was changed from 5 to 2½ per cent of the premiums paid. Representatives of inter-insurers are required to pay an annual fee of $20 for certificate of authority.

Numerous additions to and changes in license fees were made in regard to fish and game laws.

The ad valorem tax of 2½ per cent on the property of telegraph companies was repealed.

MARYLAND.[1]

The revenue system of Maryland consists of, first, the general property tax, which is distinguished by the endeavor to reach all classes of property, and notably by the taxation of intangible evidences of debt, such as the capital stock of corporations, bonds, public debt, notes, claims, and certificates of indebtedness of individuals or firms; second, an extensive system of license taxes; third, a group of special corporation taxes, notably upon gross receipts; fourth, an inheritance tax; and, fifth, a tax on commissions of officers, executors, etc.

Railroad property is taxed for county and city purposes like the property of individuals, but is exempted from state taxes other than that upon gross receipts. Railroad stock is not taxed. There is generally no tax upon personal property of corporations taxed on their capital stock.

Poll taxes are forbidden by the constitution.

Special provisions for the several counties and cities are contained in a code of public local laws, which are not herein treated.

DECLARATION OF RIGHTS.

ARTICLE XIV.

That no aid, charge, tax, burthen, or fees ought to be rated, or levied, under any pretense, without the consent of the legislature.

ARTICLE XV.

That the levying of taxes by the poll is grievous and oppressive, and ought to be prohibited; that paupers ought not to be assessed for the support of the government; but every person in the state, or person holding property therein, ought to contribute his proportion of public taxes for the support of the government, according to his actual worth in real or personal property; yet fines, duties, or taxes may properly or justly be imposed, or laid with a political view for the good government and benefit of the community.

CONSTITUTIONAL PROVISIONS.

ARTICLE III.

SEC. 33. The general assembly shall not pass local or special laws in any of the following cases: * * * For extending the time for the collection of taxes.

SEC. 34. No debt shall be hereafter contracted by the general assembly unless such debt shall be authorized by law providing for the collection of an annual tax or taxes sufficient to pay the interest on such debt as it falls due, and also to discharge the principal thereof within 15 years from the time of contracting the same. * * *.

SEC. 51. The personal property of residents of this state shall be subject to taxation in the county or city where the resident bona fide resides for the greater part of the year for which the tax may or shall be levied and not elsewhere, except goods and chattels permanently located, which shall be taxed in the city or county where they are so located, but the general assembly may by law provide for the taxation of mortgages upon the property in this state and the debts secured thereby in the county or city where such property is situated.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Assessors at large, appointed by the governor, two for each assessment district of the county.

(2) District assessors, appointed by the county commissioners, one for each election district.

(3) County board of control and review, composed of the boards of county commissioners of the several counties.

(4) Boards of control and review in Baltimore, appointed by the governor for groups of wards.

(5) Appeal tax court of Baltimore city—three persons appointed annually by the mayor and city council.

(6) County collectors, appointed by the county commissioners.

(7) State tax commissioner, appointed by the governor, the comptroller, and the treasurer, or a majority of them, for a term of four years.

[1] This compilation is derived mainly from the following sources:
The Maryland Code, Public General Laws, codified by J. P. Poe; King Bros., Baltimore, 1904.
The Maryland Code, Public Local Laws, adopted by the general assembly March 18, 1888; Baltimore, 1888. (See Appendix to the Code of 1904 of General Laws.)
Session Laws of the General Assembly, 1888 to 1912.
Some assistance was derived from Taxation in Maryland, by Thomas Sewall Adams. Johns Hopkins University Studies in Historical and Political Science, Vol. XVIII: Baltimore, 1900.
Report of the commission for the revision of the taxation system of the state of Maryland and city of Baltimore, 1913.

State Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All property of every kind, nature, and description within the state, except as specially exempted, is subject to assessment for state, county, and municipal taxation.

(1) and (2) There is no definition or classification of real or personal property for purposes of taxation. Certain subjects are specially enumerated.

All certificates of indebtedness issued by any state, county, public corporation, or foreign country are subject to taxation; also all bonds of any state or corporation belonging to residents, and all investments in private securities, except that certificates and evidences of debt of the state of Maryland shall not be taxed.

Corporations are taxed upon real estate, and the stock and bonds of the corporation; there is generally no tax on personal property of domestic corporations except in the case of corporations not taxable on their stock; where there is no capital stock, the property and assets of the company, real and personal, are subject to assessment. Personal property of foreign corporations is taxable.

The property, real and personal, of railroad companies is subject to assessment only for county and municipal purposes.

All bonds or certificates of indebtedness bearing interest issued by any railroad or other corporation of the state, held by residents and secured by mortgage on property wholly within this state, are taxed to the owners.

(3) Exemptions, in addition to public property, are: Judgments rendered by courts of record or justices of the peace; churches, with furniture and parsonages; cemeteries; crops in the hands of the producer; provisions and fuel for the use and consumption of the family; working tools of mechanics and artisans; the first $300 worth of farming implements; wearing apparel; fish in the possession of fishermen; hospitals; asylums; charitable and benevolent institutions; libraries; educational and literary institutions; the personal property of corporations having capital stock divided into shares which are subject to taxation in this state; the shares of stock of railroad companies subject to taxation upon their gross receipts within the state, and to county and municipal taxation upon their real and personal property in the counties and cities of the state; the book accounts of merchants taxed on the fair average value of goods, wares, and merchandise in stock; real property purchased by survivors of the late war for erection of monuments and parks, up to 15 acres; and persons assessed for less than $100. Household goods to value of $300 when the owner is not assessed for any other property, in Baltimore city and Baltimore County. Manufacturing plants and machinery, exempt from local taxation for the purpose of encouraging new industries in Baltimore city, town of Hagerstown, Anne Arundel County, and Harford County.

b. Assessment.—The counties are divided into assessment districts, which are composed of the election districts. In assessing the property in each election district the assessors at large act with the assessor of the election district. The assessors require of the taxpayers under oath a schedule of real and personal property, with the value thereof. Failure to furnish a schedule is penalized by doubling the taxes for the first year. False return is punishable as perjury by a fine of $500 or by two years' imprisonment.

Property is to be valued at its full cash value and not as at forced sale value. Reassessment only occurs by special act of the legislature authorizing same, although an annual adjustment of values is provided for. The last general assessment was made in 1910.

The appeal tax court of the city of Baltimore has powers to assess all property therein and to make a general revision of all property at least once in every five years.

All interest in ships or other vessels is assessed to the owner at place of residence.

Banks, state and national, and other incorporated institutions, corporations, and joint-stock companies are assessed locally on their real estate.

Shares of stock in domestic corporations owned by residents and nonresidents are assessed for taxation and the taxes collected from the corporation, which may charge them to the account of the shareholders. The revenue laws treat the stockholders as the owners of so much property, to be estimated by the actual value of the stock. The capital stock of the corporation is the representation of its property. The state does not tax both the capital stock and the property represented by it. The valuation is made by the state tax commissioner on the basis of reports from the corporation. (Shares of stock in domestic or foreign steam railroad companies liable to the state gross-receipts tax and to local property taxes, are exempt from all taxation.)

The taxable value of shares of stock is ascertained by the state tax commissioner by deducting from the aggregate value of the shares of the banks, corporations, or joint-stock companies the assessed value of their real estate and dividing the remainder by the number of shares.

The state tax commissioner is required to certify to the county commissioners of the county where any shareholders reside, the number of shares held by residents, the net value per share, and the aggregate amount. Shares held by nonresidents are taxable for county and municipal purposes where the bank or company is situated.

Foreign and domestic corporations, except those paying a gross-receipts tax, doing business in the state are taxed upon their real and personal property located in this state and in addition thereto are required to pay a franchise tax of $25 on $50,000 capital stock up to $500,000, in no case less than $25; more than $500,000 and not more than $5,000,000, an additional amount equal to one-fortieth of 1 per cent on the excess, and if over $5,000,000 an additional charge of $30 for every million dollars over $5,000,000.

The shares of stock of foreign corporations in the hands of a Maryland owner are also subjected (provided dividends are paid on such stock) to the full amount of state taxation and to a 30 cent rate for county or municipal taxes.

All bonds or other evidences of debt issued by any corporation, public or private, foreign or domestic (except the state of Maryland), are to be assessed at their actual value in the market and taxed at the same rate as foreign stock (supra).

Stock loans of the city of Baltimore, the capital stock and bonds, certificates or other evidences of debt, interest bearing, issued by incorporated companies of the state are to be assessed for state taxes.

Certificates of indebtedness issued by any individual or firm are to be assessed at the regular rate for state purposes and the 30 cent rate for local purposes.

Failure to list bonds, notes, claims, or other evidences of debt is penalized by forbidding action at law or equity thereon until the tax is paid, with an addition of 50 per cent per annum where there is an intention to evade the taxes.

Mortgagors are assessed for real estate at its actual value, without regard to the mortgage lien. (See Business Taxes and Licenses under County Revenues.) Covenants for the mortgagor to pay the taxes on the mortgage debt are unlawful. (This does not apply to mortgages made before March, 1896.)

Distilled spirits are assessed as personal property. Report is to be made on January 1 to the state tax commissioner, who fixes the value. Where the distiller is a corporation, the spirits are treated as distinct from the capital stock. The valuation is transmitted to the counties for local taxation.

c. Equalization.—The several boards of county commissioners acting as boards of control and review, and the same boards in Baltimore city, hear appeals from the assessments and may abate, lessen, or increase the valuations returned, assess omitted property, and correct the returns. Their proceedings are supervised by the state tax commissioner.

2. *Rate—*

The county commissioners of the several counties and the mayor and city council of Baltimore are directed by the legislature at each session to levy the taxes for the various funds. The state rate in 1912 was 23½ cents.

The comptroller of the treasury levies the same state taxes on shares of capital stock of all banks, incorporated institutions, and companies of the state.

A tax of 1 cent on the $100 valuation is levied annually for the maintenance and repair of state roads.

3. *Collection—*

Taxes are collected by the county collectors, who are compensated by a percentage of the amount of their collections. If taxes are paid by the 1st day of September of the year in which they are levied, a deduction of 5 per cent may be made; if paid before October 1, there is a deduction of 4 per cent; if paid before November 1, one of 3 per cent. All state, county, and municipal taxes are liens on the real estate of the taxpayer from the time of levy, and are considered in arrears on the 1st day of January and bear interest at 6 per cent. Collection may be enforced by distraint of personalty or sale of realty.

B. POLL TAXES.

There are no poll taxes, as they are forbidden by the constitution.

C. THE INHERITANCE TAX.

All estates, real and personal, passing from any person who may die seized and possessed thereof, or by transfer intended to take effect after the death of the donor, other than to the father, mother, husband, wife, child, or lineal descendant of the decedent are subject to a tax of 5 per cent on every $100 of clear value. Estates valued at less than $500 are exempt.

After all fees and commissions are paid the proceeds of this tax are paid into the state treasury for the use of the state. The commission of the register of wills, through whom the tax is paid to the state, is 12½ per cent of the tax, and that of his clerk 2½ per cent.

The tax is a lien on the property for 4 years and must be paid to the register of wills within 13 months of the granting of letters of administration. No discount or interest is specifically provided for.

D. CORPORATION TAXES.

The line of demarcation between the special corporation taxes and the general property tax is not so clear in Maryland as in most other states. The tax on the capital stock of corporations has been treated under the general property tax, because it seemed to be a substitute for the taxation of the stock to the stockholders, but that classification is somewhat arbitrary. The taxes on corporations that savor less of the general property tax are: The bonus on capital stock—a tax which is closely analogous to the fees for incorporation charged in most of the other states; the franchise tax on corporations; the tax on gross receipts of various corporations; and the taxes on insurance companies.

Bonus on capital stock.—Every corporation incorporated under any general or special law of the state, except cemetery companies, companies for purely benevolent and charitable purposes, railroad companies, and building and homestead associations, is required to pay to the state treasurer a bonus of one-eighth of 1 per cent on the authorized capital stock. The bonus on the original capital is due upon incorporation and on the increase upon the recording of the certificate.

The franchise tax on savings banks.—Every savings bank is required to pay annually a franchise tax to the amount of one-fourth of 1 per cent on the total deposits. Three-fourths of the tax goes to the county where the bank is located and one-fourth to the state. The real property of the bank is liable to assessment, but not the deposits. Failure to make reports, or the making of false reports, subjects the officer of the bank to indictment and fine.

The tax on gross receipts.—A franchise tax of 2 per cent per annum is levied upon the gross receipts of all telephone and oil pipeline companies, and all guaranty and fidelity title insurance companies; a tax of 1 per cent upon the annual gross receipts of electric light companies; 1½ per cent of gross receipts of electric, construction and gas companies; and 1½ per cent for a foreign guano, phosphate, or fertilizer company. The gross receipts tax on corporations is due on July 1. There are like penalties for failure to pay and make report as on railroads. Associations, partnerships, and individuals engaged in these lines of business are subject to the gross receipts tax. Parlor, palace, and sleeping car companies, telegraph or cable, express or transportation, safe deposit, and trust companies, are taxed at the rate of 2½ per cent upon the total gross receipts from business done in the state. Failure to pay for 60 days subjects the company to a penalty of 10 per cent.

Franchise tax on railroads.—Railroads, other than street railroads, are taxed for state purposes upon their gross earnings, in lieu of any other state tax on property or capital stock. But railroads other than the Baltimore & Ohio Railroad pay county and municipal taxes on real and personal property. The rate of tax is graduated according to the gross earnings per mile of line: 1½ per cent on the first $1,000 per mile; 2 per cent on the first $1,000 to $2,000 per mile; 2½ per cent on the earnings above $2,000 per mile. The Baltimore & Ohio Railroad by special contract pays one-half of 1 per cent on its gross earnings in the state. Railroads whose lines are located partly within and partly without the state are taxed on such portion of the entire gross receipts as the length of their lines in the state bears to the total length of their lines wherever located. The tax is payable July 1, annually. Failure to make report of gross earnings subjects the responsible officer of the corporation to forfeiture of $500 to the state. Default of payment for one month is penalized 5 per cent.

Taxes on insurance companies.—Foreign life insurance companies pay an annual license tax of $300. All other foreign insurance com-

panies, $100. In addition, foreign fire, marine, and inland insurance companies pay a tax of 2 per cent on the amount of premiums collected in the state, and life and casualty companies at the rate of 1½ per cent.

All persons obtaining insurance from fire, lightning, or tornado insurance companies which are not licensed to do business in the state, pay a tax of 5 per cent of the premium money on such policies to the insurance commissioner, and a further fee of $1 to the commissioner for making record of such policy. When it can be shown the insurance can not be secured from companies authorized to transact business in the state the tax on premiums is not required.

Domestic insurance companies pay a gross receipts tax.

Fraternal benefit associations pay an annual license tax of $25, also a general property tax on real and personal property owned by them.

E. BUSINESS TAXES, LICENSES, AND FEES.

Some taxes technically or legally defined as "license taxes" have been included under corporation taxes, above.

Licenses generally are issued by county officials and cover the territory of one county, but the revenue from the following accrues to the state treasury. The licenses are annual unless otherwise stated:

Insurance brokers, state, $100; insurance brokers, county, $25; telegraph and express companies, $300; billiards or pool, first table, $10; each additional table, $5 (cities and towns may impose a further tax). Brokers—exchange, $100; real estate, $25; bill brokers, $50; grain, etc., in Baltimore, $30; pawnbrokers, $100; shipping brokers, $50; shipping brokers, for runners, $50. Hawkers and peddlers—on foot, $100; with horse and vehicle, $150; with two horses and vehicle, $200. Ordinary keepers—rate of rent or annual value, $100 or less, $25; $100 to $200, $40; $200 to $300, $50; $300 to $400, $60; $400 to $500, $75; $500 to $750, $90; $750 to $1,000, $100; $1,000 to $2,000, $150; $2,000 to $3,000, $180; $3,000 to $5,000, $250; $5,000 to $10,000, $400; over $10,000, $450; this carries the right to sell liquors in quantities less than 1 pint. Shows and theatrical exhibitions, $30 per year, $1 per show; animals and curiosities, $15. Baltimore: theatrical exhibitions, $3 per night; ventriloquists, sleight of hand performers, etc., $10 per week; circus, $3 per night; animals or curios, $10 per week. Stallion or jackass, highest sum of the season, at least $10 for one mare; this payment exempts from all other state tax; gypsies, $50 for each county; this revenue goes into county treasury. Horse races in Baltimore County, $10 a day for 6 days and $250 for each day thereafter. License for taking fish from Chesapeake Bay, $1.25. Motor vehicles, 10 horsepower or less, $5; 10 to 20 horsepower, $10; 20 to 30 horsepower, $15; 30 to 40 horsepower, $20; more than 40 horsepower, $25; motor trucks, $3; motorcycles, $1.80. Dealers in motor vehicles, $24; dealers in motorcycles, $10; manufacturers' flat rate, $100; chauffer license, $5; to operate a motor vehicle, $2; to operate a motorcycle, $1; plumbers' license, $1; petty loan broker, $50. Auctioneer in Baltimore County, residents of county, $10; residents of state, $25; nonresidents, $50. Dogs, unless taxed by municipal ordinance, not less than $1 for males and $2 for females—one male, however, is free to each householder, except in Talbot and Harford Counties, where the rate is $1, male or female. Traders—persons other than growers, makers, or manufacturers offering for sale goods, wares, and merchandise where stock in trade is less than $1,000, $12; $1,000 to $1,500, $15; $1,500 to $2,500, $18; $2,500 to $4,000, $22; $4,000 to $6,000, $30; $6,000 to $8,000, $40; $8,000 to $10,000, $50; $10,000 to $15,000, $65; $15,000 to $20,000, $80; $20,000 to $30,000, $100; $30,000 to $40,000, $125; over $40,000, $150. Milliners, female, stock less than $500, $6. Cigarettes, $10. Retail of liquors—stock not over $500, $18; $500 to $1,000, $35; $1,000 to $2,000, $50; $2,000 to $4,000, $75; $4,000 to $6,000, $100; $6,000 to $10,000, $120; $10,000 to $20,000, $130; $20,000 to $30,000, $140; over $30,000, $150. Sale of liquor at fisheries, $6; sale of liquor at horse races, $4; oyster or eating houses, $50; oyster dredge or scoop from $1.90 to $2.85, graded according to weight of boat.

Commissions.—Judges of circuit courts, $50; judges of superior court, court of common pleas, of circuit court No. 2 of Baltimore, the Baltimore city and criminal courts, $50; sheriff of Baltimore city, $300; sheriff of Baltimore County, $100; sheriffs of other counties, $20 to $100; judge of orphans' court, Baltimore, $50; judge of orphans' court, several counties, $10; justice of peace and constable, $2; tobacco inspectors, $50; weighers of live stock, $50; weighers of grain, $10; notaries public, Baltimore, $20; clerks of court, $200; register of wills, Baltimore, $200; register of wills, other counties, $30 to $150.

All commissions allowed to executors or administrators by the orphans' courts of the state are subject to a tax of one-tenth part of the sum so allowed. The orphans' court in fixing the commissions is to make no allowance for the tax.

Insurance.—Filing copy of charter (with insurance commissioner), $25; filing annual statement, $25; certificate of authority (foreign), $10; certificate of authority to agents, $2; abstract, annual statement, $2; every copy of paper filed in insurance department, 20 cents a folio; affixing official seal to paper, $1; for valuing life policies, $30 per million or fraction thereof. Issuing license for insurance broker, $1.

By bank commission.—Examination of banks having $50,000 or less assets, $20; more than $50,000 and up to $150,000, $30; more than $150,000 and up to $250,000, $40; more than $250,000 and up to $500,000, $50; more than $500,000 and up to $1,000,000, $60; more than $1,000,000 and up to $3,000,000, $75; more than $3,000,000 and up to $6,000,000, $100; more than $6,000,000 and up to $10,000,000, $150; more than $10,000,000 and up to $15,000,000, $200; more than $15,000,000 and up to $25,000,000, $250; more than $25,000,000 and up to $40,000,000, $300; more than $40,000,000, $400.

Articles of association of savings institutions and trust companies $10 for filing.

Notaries public are required to pay to the state one-half of their fees derived from protests. These fees are 5 cents for each protest, mailed or delivered. Undertakers, fee for examination, $20; registration, $5. Pharmacist, fee and certificate, $15; assistant pharmacist, $10; plumbers' registration fee, $3; renewal, $1. Midwifery examination, $5.

Inspection of tobacco.—For one or two breaks, per hogshead, $1; for full stayed, per hogshead, $2; for reinspecting and redrawing all kinds except Maryland tobacco, $1 each hogshead; and for all outage the charge shall be $2 for every hogshead not exceeding 1,100 pounds and 12½ cents additional on every 100 pounds over 1,100 pounds. The excess receipts, after the expenses of inspection are paid, are turned over to the state comptroller.

F. THE INCOME TAX.

There is no income tax in Maryland.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the methods of assessment and of equalization are in general the same as for state taxation, except that railroad property, like that of individuals, is to be taxed for county and city purposes. By special acts of the general assembly the county commissioners, to encourage certain industries, may exempt certain property from county taxation.

The valuation of the rolling stock of railroads is to be divided by the state tax commissioner among the counties (and the city of Baltimore) in proportion to the mileage of railroads located therein. The real estate is assessed like that of individuals. Shares of stock in railroad companies are not taxed.

2. *Rate—*

The tax is levied by the county commissioners according to the special provisions for each county.

The board of county commissioners may levy not to exceed 5 cents on $100 valuation for free public libraries in the county.

3. *Collection—*

The method of collection is the same as that for state taxes.

B, C, AND D. POLL, INHERITANCE, AND CORPORATION TAXES.

There are no county poll, inheritance, or special corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

County licenses are provided for in the Code of Public Local Laws for each separate county, but on account of their diversity have not been compiled.

Each person employed on a boat engaged in catching oysters with rakes or tongs for sale is required to pay a license fee of $3.50. The license is issued by the clerk of the circuit court in each county. Two-thirds of the license money is turned over to the school commissioners for the use of the public schools of the county and one-third goes to the comptroller of the treasury to be credited to the oyster fund.

License for oyster boat.—Boats used for catching oysters, $2.85 for every gross ton boat shall measure, payable to the comptroller. When license is issued by the county clerk of the circuit court for the county, license is $2.85 per gross ton, except for boats less than 5 tons gross measurement, when license shall be $8 per boat. An additional charge is made of 50 cents per laborer employed on the boat for a period of three months. One-third of the revenue goes to the state and two-thirds to the county.

Special tax on mortgages.—In four counties all mortgagees holding mortgages on real estate and recorded are required annually to pay a tax of 8 per cent upon the gross amount of interest covenanted to be paid by the mortgagor. In the remaining counties and Baltimore city the mortgage tax has been repealed.

Dogs, unless taxed by municipal ordinance, not less than $1 for males and $2 for females—one male free to each householder—except in Talbot and Harford Counties, where rate is $1 male or female. (Net revenue accredited to school fund of the respective counties.)

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

All municipal taxes are levied upon the property as assessed for state and county taxes, in conformity with the general laws relating to revenue and taxes and with the public local laws applicable to the several counties and cities. Railroad property is subject to municipal taxation.

2. *Rate—*

The rate is determined by the mayor and city council under the local laws.

3. *Collection—*

The method of collection is the same as that for county taxes.

B, C, AND D. POLL, INHERITANCE, AND CORPORATION TAXES.

There are no municipal poll, inheritance, or special corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

Municipal liquor licenses and licenses on hawkers and peddlers and other lines of business are governed by local laws applicable to the several counties and municipalities. Oyster measurer in Baltimore pays a license fee of $5 per annum. (See Code of Public Local Laws, 1888, and Appendix in Code of Public General Laws, 1904.)

School Revenues.

For the support of free public schools a state tax of 16½ cents on each $100 of taxable property was levied in 1912 and the proceeds distributed to the several counties according to their school population. The county commissioners are authorized to levy an additional tax sufficient to maintain the free public schools of the county.

The income from the state school fund (of 1839) and the revenues from the dog taxes and from certain fines and licenses also go to the support of schools.

MASSACHUSETTS.[1]

The general property tax is used in Massachusetts for both state and local purposes. It is the main dependence of the local governments, but the state government draws very heavily upon other sources as well. Peculiar features of the system are the listing of polls along with property and of certain incomes as if property, and the apportioning of county and state taxes on both thereof, as well as on real and personal property among the towns and cities. The assessment of real and personal property, including incomes, and of polls and the general administration of this tax are mainly matters of local administration. The state levies, through the agencies of the towns and cities, a so-called direct state tax (usually expressed in round numbers—in 1911 it was $5,500,000; in 1912, $6,250,000), apportioned among them on the basis of the local valuations and enumerations of polls roughly equalized.

[1] This compilation is derived mainly from the following sources:
Revised Laws, with supplement of 1908.
Session Laws, to 1913.
Laws relating to taxation, 1912, compiled by the state tax commissioner.

The general corporation tax, or so-called general franchise tax, administered largely by state officials, is a distinguishing feature of the Massachusetts system. This tax and certain special corporation taxes yield a large proportion of the state revenue.

CONSTITUTIONAL PROVISIONS.

PART THE SECOND. CHAPTER I.

ARTICLE IV.

SEC. 1. And further, full power and authority are hereby given and granted to the said general court * * * to impose and levy proportional and reasonable assessments, rates, and taxes upon all the inhabitants of, and persons resident and estates lying within, the said commonwealth; and also to impose and levy reasonable duties and excises upon any produce, goods, wares, merchandise, and commodities whatsoever, brought into, produced, manufactured, or being within the same. * * *

And while the public charges of government, or any part thereof, shall be assessed on polls and estates, in the manner that has hitherto been practiced, in order that such assessments may be made with equality, there shall be a valuation of estates within the commonwealth, taken anew once in every 10 years at least, and as much oftener as the general court shall order.

ARTICLE XLI.

Amendment. Provides that the general court shall prescribe methods of taxation of wild or forest lands.

PART THE FIRST.

ARTICLE X.

Each individual of the society has a right to be protected by it in the enjoyment of his life, liberty, and property, according to standing laws. He is obliged, consequently, to contribute his share to the expense of this protection; to give his personal service or an equivalent, when necessary; but no part of the property of any individual can, with justice, be taken from him, or applied to public uses, without his consent, or that of the representative body of the people * * *.

ARTICLE XXIII.

No subsidy, charge, tax, import, or duties ought to be established, fixed, laid, or levied, under any pretext whatsoever, without the consent of the people or their representatives in the legislature.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The town assessors, three or more in each town, elected at the annual town meeting, for terms varying from one to three years. The selectmen may be made the assessors, or they may so act if none are elected by the town. If the selectmen fail to act, the county commission may appoint.

(2) Assessors in cities.—Such assessors, usually three in number, but sometimes one and sometimes nine, are in some cities appointed by the mayor, in some elected by the council, and in others elected by the people.

(3) The town collectors of taxes, one or more in each town, elected annually in town meeting. The town may at any meeting appoint the town treasurer tax collector. The constables act as tax collectors unless other persons are appointed as such.

(4) Collectors in cities, usually one in each city, elected for terms fixed by the charters.

(5) The state tax commissioner, who is also the commissioner of corporations, appointed by the governor, with the advice and consent of the council, for a term of three years.

(6) Three supervisors of assessors, appointed by the tax commissioner, with the advice and consent of the governor and council.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All property, real and personal, situated within the commonwealth, and all personal property of the inhabitants located without the commonwealth (except merchandise, machinery, and animals), unless expressly exempted by law, is subject to taxation.

(1) Real estate, for the purpose of taxation, includes not only all land, but also all things affixed thereto. The mortgagee's interest in the land is taxable as real estate.

(2) Personal estate, for purposes of taxation, includes: (*a*) Goods, chattels, money, and effects; (*b*) ships and vessels at home or abroad, except such as are specifically exempted; (*c*) money at interest and other debts due the persons to be taxed over and above what they are indebted or pay interest for; debts secured by mortgages on taxable real estate are not included in such taxable debts, and may not be used to reduce the amount of taxable debts due; (*d*) stocks and bonds, public and other; but shares in corporations chartered by the commonwealth are not taxable to the holder, taxation being secured by the general franchise tax; (*e*) income from an annuity, and so much of the income of a profession, trade, or employment as exceeds $2,000 a year; but no income is taxable if derived from property subject to taxation. Under this provision incomes from professions and salaries are taxable, and it has been held that incomes from trade being derived from skill and management as well as from the use of capital taxed are taxable.

(3) Exemptions from taxation, in addition to public property, are: The personal property of literary, benevolent, charitable, and scientific institutions, and of temperance societies incorporated in the commonwealth and the real estate owned and occupied by them, but such property is not exempt if the income is divided among the stockholders or members; the real and personal estate of incorporated agricultural societies and horticultural societies; the real and personal estate of any Grand Army or veteran association incorporated in the commonwealth to the extent of $20,000 if used and occupied by posts of the Grand Army; the Bunker Hill Monument; houses of religious worship and the pews and furniture; cemeteries, tombs, and rights of burial; the property to the amount of $500 of a widow, of an unmarried woman over 21 years of age, of a person over 75 years of age, or of a minor whose father is deceased, provided that the whole estate, real and personal, of such persons does not exceed in value $1,000, exclusive of property otherwise exempt by law; polls of aged, infirm, and poor when deemed unable to fully contribute; the wearing apparel and farming utensils of every person, his household furniture not exceeding $1,000 in value, and the necessary tools of a mechanic not exceeding $300 in value; the property of soldiers and sailors who served in the Civil War and were honorably discharged, their wives and widows, to the amount of $1,000 where the whole estate does not exceed $5,000; plantations of chestnut, hickory, white ash, white oak, and other trees, where the land is devoted exclusively to the growth of the trees, for 10 years after the trees reach 2 feet; ships and vessels engaged in the foreign carrying trade are exempt, but the interest therein is taxed one-third of 1 per cent; the capital stock, corporate franchises, and personal property of cooperative banks; mules, horses, and neat cattle less than 1 year old; swine and sheep less than 6 months old, and domestic fowls not exceeding $15 in value; state bonds issued since January 1, 1906.

b. Assessment.—A striking feature connected with the assessment is the unusual and extraordinary powers conferred upon the assessors, who not only make the valuations and list the polls and estates but make the final tax levy, or, as it is called in the statutes, "assess the taxes," by which is meant that they apportion among the various polls and estates as valued by them the amount of taxes authorized to be raised in their town or city for town or city, county, and state purposes. They also "commit the tax list with their warrants to the collector of taxes," and may even grant "abatements," or reductions, in taxes to individuals after the tax bills are made out. They thus perform the functions and have the powers of assessors, auditors, equalizers, local boards of review, and local boards of appeal with respect to taxation; but an appeal from the arbitrary exercise of these powers lies to the county commissioners, or to the Superior Court of the county.

Under the statutes the assessors publish a notice requiring the inhabitants of each town or city to bring in sworn "true lists" of all their property, but there is no machinery or penalty for compelling the inhabitants to obey this requirement. Should anyone do so, he is entitled to have his list "received as true," except as to valuations, but most property is listed by the assessors "according to their best information."

The assessment refers to the 1st day of April, and valuations are to be at the fair cash value.

Property exempted from taxation is also listed and valued for purposes of statistical information.

Real estate is listed annually, mortgages being treated as an interest in real estate and listed in the place where the real estate lies, and personal property is also assessed annually and in the city or town of which the owner is a resident, except stock in trade and machinery employed in other places, which is assessed where it is located. There are a few other exceptions based upon the status of the property in respect to ownership, etc.

A mortgagee in possession of land is assessed as sole owner thereof. If the mortgagee has only an interest in the land, he is assessed on such interest; the tax on such property is assessed to the mortgagor less such interest.

The tax commissioner has large supervisory powers. He advises and instructs assessors in the performance of their duties.

c. Equalization.—Strictly speaking, there is no provision for local equalization. Taxpayers overassessed may obtain redress either from the assessors, the county commissioners, or the superior court. But there is no machinery designed to raise the assessments which may be below the fair cash value, except to call the assessors to account for nonperformance of duties.

The following section seems to imply a system of state equalization, but it should be observed that it operates on the apportionment or share of state and of county taxes to each city or town and not upon the valuations, and operates only triennially.

The tax commissioner shall, before the 1st day of January in the year 1904 and before the 1st day of January in every third year thereafter, prepare and report in print to the general court, within the first week of its then next succeeding session, an equalization and apportionment upon the several cities and towns, of the number of polls, the amount of property, and the proportion of every $1,000 of state or county tax, including polls at one-tenth of a mill each, which should be assessed upon each city and town.

2. *Rate—*

The aggregate amount of state and county taxes to be raised is fixed by the legislature at each session. Each town or city is required to raise its quota for state and county purposes by a levy on polls and estates. Once every three years the tax commissioner determines what proportion of the whole each town or city is to pay. The assessors in the towns then determine the rates by apportionment upon the property subject to taxation.

There is thus no state rate as such.

3. *Collection—*

All taxes are collected by the tax collectors, and are payable on demand by him. If they remain unpaid for 14 days after demand and notice, they may be collected by distress and sale and in certain cases by arrest and imprisonment.

Taxes on land become a lien on April 1.

B. POLL TAXES.

A poll tax of $2 is assessed on every male inhabitant of the commonwealth above 20 years of age. Civil War veterans are exempt. This tax is paid into the municipal treasuries as part of the fund out of which the state's share of taxes is drawn.

C. THE INHERITANCE TAX.

All property within the jurisdiction of the commonwealth, corporeal or incorporeal, and any interest therein, belonging to inhabitants of the commonwealth, and all real estate in the commonwealth belonging to noninhabitants, which shall pass by will, or by the laws regulating intestate succession, or by deed, grant or gift (except cases of bona fide purchase for full consideration in money or money's worth) intended to take effect in possession or enjoyment after the death of the grantor, to any person, absolutely or in trust, except to or for the use of charitable, educational, or religious societies or institutions (the property of which is exempt from taxation by the laws of the state) or to or for the use of a city or town within the commonwealth for public purposes, is subject to a tax for the use of the commonwealth.

Property passing to the husband, wife, lineal ancestor, lineal descendant, adopted child, lineal descendant of an adopted child, the adoptive parent or lineal ancestor of an adoptive parent, the wife or widow of a son, or the husband of a daughter of a decedent, is subject to a tax of 1 per cent of its value if such value does not exceed $50,000; 2 per cent if its value exceeds $50,000 and does not exceed $250,000; 3 per cent if its value exceeds $250,000 and does not exceed $1,000,000; and 4 per cent if its value exceeds $1,000,000.

Property passing to the brother, sister, nephew, or niece of a decedent is subject to a tax of 2 per cent if its value does not exceed $10,000; 3 per cent if its value exceeds $10,000 and does not exceed $25,000; 5 per cent if its value exceeds $25,000 and does not exceed $50,000; 6 per cent if its value exceeds $50,000 and does not exceed $250,000; 7 per cent if its value exceeds $250,000 and does not exceed $1,000,000; 8 per cent if its value exceeds $1,000,000.

Property passing to any other person or body is subject to a tax of 5 per cent if its value does not exceed $50,000; 6 per cent if its value exceeds $50,000 and does not exceed $250,000; 7 per cent if its value exceeds $250,000 and does not exceed $1,000,000; and 8 per cent if its value exceeds $1,000,000.

No distributive share or gift is subject to tax unless its value exceeds $1,000, and in the case of a husband, wife, father, mother, child, adopted child, adoptive father, or adoptive mother of the deceased $10,000; and no tax is exacted which reduces the property below the amount of the above exemptions.

Property of a resident situated outside of the commonwealth at the time of his death is not taxable if legally subject in another state or country to a tax of like character and amount as here imposed and such tax is paid; if the tax in another state or country is of less amount than here imposed, such property is taxable to the extent of the difference. Property of a nonresident within the commonwealth, if subject to an inheritance tax in the state or country of his residence, is subject only to such portion of the tax here imposed as may be in excess of such tax in the other state, provided, however, that a like exemption is made by the laws of such other state or country in favor of estates of citizens of this commonwealth; but no such exemption shall be allowed until such tax shall have been actually paid or guaranteed.

The tax is generally assessed upon the actual value of the property at the time of the death of the decedent, and the value on which the tax is computed is determined by the tax commissioner. Parties interested can have three disinterested appraisers appointed by the probate court to determine the actual value, and their decision is final. This tax with the interest thereon attaches as a lien to the property and is collected by the treasurer of the commonwealth. Administrators pay the tax before the property is delivered.

D. CORPORATION TAXES.

Corporations are taxed by the state upon all those elements of their wealth which can not be reached with comparative ease and certainty by the local assessors. But the state retains for its own use only that portion of the taxes so raised which would not, under the general principles determining the situs of property, naturally belong to some one of the towns and cities, and therefore turns back to the towns a considerable part of that which is collected.

The general corporation tax is also known as a general franchise tax or a tax on the corporate excess. It is administered by the state tax commissioner. He ascertains the market value of the shares of the capital stock of each corporation, which is denominated the value of the corporate franchise. From this amount are deducted certain items locally taxed and certain items regarded as lying beyond the jurisdiction of the state. The balance is assessed as the "corporate excess," and the corporations pay the tax directly into the state treasury.

The deductions allowed in the case of all corporations are: Real estate and machinery taxed by towns and cities in Massachusetts; the value of securities which, if owned by a natural person, would not be subject to taxation; and the value of property situated outside of the state and subject to taxation elsewhere; in the case of a railroad, telegraph, or street railway company, domestic or foreign, so much of the value of its capital stock as is proportional to the length of that part of its line, if any, outside the state; and also the value of its works, structures, real estate, machinery, underground conduits, wires, and pipes, subject to local taxation within the state; in case of a domestic telephone company the value of all stock in other corporations in this or other states, already taxed, and in the case of foreign telephone companies, as much of its capital stock as is proportional to the number of telephones owned or controlled by it outside the state. In case of a telephone company, foreign or domestic, the value of its works, structures, real estate, machinery, underground conduits, wires, and pipes, subject to local taxation in the state.

The rate of taxation levied upon the corporate excess of domestic corporations is determined by the commissioner, who ascertains the total amount raised by taxation other than on polls in all the different towns and cities, and divides that by the total valuation of property as returned by the assessors to determine the annual rate. The average of the three preceding annual rates so determined is the corporate rate. The tax shall not exceed a tax levied at such rate upon an amount, less said deductions, 20 per cent in excess of the value of the real estate, machinery, merchandise, and taxable securities; the total amount of tax to be paid by each corporation locally on its corporate franchise shall amount to not less than one-tenth of 1 per cent of the market value of the capital stock.

When the tax commissioner has received notice of an abatement of the taxes of any corporation, he assesses such corporation a corresponding additional franchise tax.

The amount raised by the tax on corporate excess is distributed in part to towns and cities in proportion to the number of shares held by citizens thereof in each town. The remainder, which represents the tax on shares of stock held outside the state, remains in the state treasury. In the case of foreign telegraph companies the shareholders are not sought out and the state takes the entire tax.

The following cases are departures from the general rule already laid down, either in the direction of special procedure or of additional taxes imposed:

Shares of stock in banks, national or state, are assessed locally to the owners and not by the state tax commissioner. The bank advances the tax. The revenue obtained is distributed among the towns and cities where the shareholders reside, and the state receives as its share that levied on the shares of foreign stockholders.

Savings banks, savings departments of trust companies, and also the Massachusetts Hospital Insurance Co., are taxed on their deposits, less certain specified investments at the rate of one-half of 1 per cent per annum, payable semiannually, which is computed upon the average deposits for each six months, except that the rate for savings deposits of trust companies for 1912 was three-eighths of 1 per cent. The tax on savings bank deposits is in lieu of all other taxes. Cooperative banks are taxed locally on their real estate only.

Life insurance companies, domestic and foreign, pay an excise tax of one-fourth of 1 per cent per annum upon the net value of all policies in force and held by residents of the commonwealth. Domestic insurance companies other than life and except companies liable to taxation on corporate franchise pay 1 per cent on net premiums except premiums received in other states where they are subject to a like tax, and 1 per cent on all assessments made by the company upon policyholders. All other foreign insurance companies pay 2 per cent on net premiums charged or received in Massachusetts.

There is a retaliatory tax on insurance companies of every class organized in states which tax Massachusetts companies more heavily, and an additional tax of 4 per cent on companies chartered outside of the United States if they fail to keep on deposit in the United States proper security for losses. If such company has approved securities on deposit of the value of $200,000, the rate is 2 per cent.

Domestic trust companies are taxable on the personal property held in trust, which would be liable to taxation if held by any other trustee, and this tax is treated in the same manner as that on corporate excess.

Street railway companies whose lines are partly within and partly without the state, which have paid dividends from the beginning aggregating 6 per cent per annum, are required to pay a tax equal to the excess over 8 per cent in any dividend declared over that amount.

Street railroads generally pay an excise tax in each town on that proportion of their gross receipts which corresponds to the miles of track in each town or city. The rates are: Gross receipts, $4,000 or less per mile, 1 per cent; $4,000 to $7,000 per mile, 2 per cent; $7,000 to $14,000 per mile, 2½ per cent; $14,000 to $21,000 per mile, 2½ per cent; $21,000 to $28,000 per mile, 2¾ per cent; over $28,000 per mile, 3 per cent. These taxes are in addition to others provided by law and are devoted to the care of the streets. The rates are subject to revision. Every foreign corporation shall pay an annual excise tax of one-fiftieth of 1 per cent of the par value of its authorized stock, but the tax shall not in any one year exceed $2,000. Express companies are required to make an annual statement of their property to the tax commissioner, who levies an excise tax upon the fair cash value of such proportion of their capital, bonds, and unfunded debt after deducting the value of their real estate and other property taxed locally as their gross earnings in the commonwealth bear to their total gross earnings, and the rate is determined the same as in the case of domestic corporations.

Domestic corporations owning an interest in vessels engaged in foreign carrying trade are taxed one-third of 1 per cent on the value of such interest. This value, as determined by the tax commissioner, is deducted from the value of the shares of said corporation for the purpose of determining the true value of its corporate franchise.

Gas and electric light companies have to bear the expense of the board of gas and electric light commissioners and the cost of inspection of gas meters. Railroads bear the expense of the railroad commission and the costs of inquests on travelers killed. Telegraph and telephone companies are assessed for the expenses of the highway commission.

E. BUSINESS TAXES, LICENSES, AND FEES.

The commonwealth receives one-fourth of the local liquor licenses. (See Municipal Revenues.)

Itinerant vendors pay to the secretary of the commonwealth a license fee of $25 for one year; peddler's license, state, $50 per annum. For entering name of city or cities on limited licenses the secretary of the commonwealth receives $1 for each city.

Coal and coke dealers, not exceeding $1 annually.

Hunters' licenses.—Aliens, $15; nonresidents, $10; residents, $1.

For conducting loan agency, minimum, $100.

Highway commission.—Automobile licenses.—Motorcycles, $2; dealer in motorcycles (exclusive of automobiles), $10; commercial motor vehicles, $5; motor vehicles, less than 20 horsepower, $5; 20 horsepower and less than 30, $10; 30 horsepower and less than 40, $15; 40 horsepower and less than 50, $20; 50 horsepower and over, $25; dealers, $25 for five or less, and $5 for each additional machine; operator or chauffeur's license, $2; renewal, 50 cents; examination of applicant for license, $2.

Secretary of the commonwealth.—Articles of incorporation one-twentieth of 1 per cent of the amount of the capital stock, but not less than $5 in any case; increase of capital stock, one-twentieth of 1 per cent of the increase; change of business, $1; filing annual report of condition, $5; change of name and other certificates, $1; copies of papers, etc., 20 cents per page; 25 cents for secretary's certificate; certificate of limited partnership, $1.

Commissioner of corporations.—For every writ served upon him as attorney for a foreign corporation, $2.

Treasurer and receiver general.—For filing first papers of foreign corporations, $25.

Bank commissioner.—License to transmit money to foreign countries, $25; to receive money for safe keeping and to transmit to foreign countries, $50.

Insurance commissioner.—Valuations of life policies, 2½ mills per $1,000 of insurance; filing of certificate of organization, $25; examination of domestic companies, $30; filing charter of foreign companies, $30; application for admission and annual statement, $20; licenses for agents in foreign insurance companies, $20 annually; insurance broker, $10; renewal, $2; certificate of valuation of policies of life insurance companies, $2; for service of process, $2; for copy of any paper in his office, 12 cents a page, and $1 for certifying same.

Citizens may be licensed to procure fire or bombardment insurance in unauthorized foreign companies upon annual payment of $20, and upon the further payment of an amount equal to 4 per cent of the gross premiums on such policies, less return premiums reported.

State inspector of boilers.—For external and internal inspection of steam boilers, $5; external inspection, under steam, and inspection of each cast-iron sectional boiler, $2; license to operator of hoisting machinery, $1; license to operate cinematograph, $3; for assistant operator, $1; for inspection, $1; master plumber's fee, $2.

Boards of registration.—Medicine, $20; dentistry, $20; veterinary medicine, $15; embalming, $5, and an annual fee, $2; fee for taking bar examination, $15; pharmacy examination $5, registration, $10.

Commissioner of weights and measures.—For sealing taximeters, $1.

Inspection of gas meters.—Meter delivering not more than a cubic foot in four revolutions, 25 cents; more than a cubic foot, a fee of 30 cents with 20 cents added for every additional cubic foot so delivered.

F. THE INCOME TAX.

There is no income tax, as such, in Massachusetts. Certain incomes above $2,000 are taxed as personal property, as described under the head of General Property Taxes.

County Revenues.

The counties in Massachusetts have very little autonomy and no strictly independent tax levy for their support. They merely receive into their treasuries certain sums allotted to them under orders of the general court and assessed and collected by the town and city assessors upon the polls and estates in each town and city. The entire machinery for county taxes has therefore been described under the head of State Revenues.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

All property, real and personal, unless expressly exempted, is subject to this tax. The assessors may.

in any year, divide any ward into convenient assessment districts. The assessors may include state, county, and town taxes, or any two of them, in the same assessment.

In Boston all taxes assessed for county or state purposes may be assessed separately as county taxes, or under the name of city taxes only, as the city council directs.

Power is given to divisions of towns and cities to establish fire districts with power to levy taxes to pay for expenses of fire protection and for street lighting. The taxes are levied and assessed upon the valuation of property within the district in the same manner as described under "State Revenues."

Cities and towns are reimbursed for loss of taxes on land used for public institutions which are subject to the supervision of the state board of insanity, charity, or prison commissioners, except county jails, houses of correction, and training schools. The value of such property is determined by the tax commissioner for the purpose of computing the tax allowance by the state to the municipality.

2. *Rate*—

The city taxes assessed on property exclusive of the sums required by law to be raised on account of the city debt in any one year are limited to $12 on every $1,000 of the assessors' valuation of the taxable property for the preceding year, said valuation being first reduced by the abatements allowed previous to the 31st day of December. If the city council so determines cities which contain less than 100,000 inhabitants may use the average assessed valuation for the preceding three years instead of the valuation of the preceding year. In the city of Boston and in all cities containing 100,000 inhabitants or more the average valuation must be used.

In the city of Boston the limit of the levy is $10.50 instead of $12, as for other cities.

3. *Collection*—

The general provisions for the collection of city taxes are the same as for the collection of state and county taxes.

B. POLL TAXES.

See poll taxes under State Revenue.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no municipal inheritance or corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

Liquor licenses, annual—First class, liquors of all kinds, to be drunk on premises, minimum, $1,000; second class, malt liquors, cider, and light wines, to be drunk on premises, minimum, $250; third class, malt liquors and cider, to be drunk on premises, minimum, $250; fourth class, liquors of any kind, not to be drunk on premises, minimum, $300; fifth class, malt liquors, cider, light wines, not to be drunk on premises, minimum, $150; sixth class, retail druggists, $1; seventh class, dealers in paints and chemicals, $1; club house, from $50 to $500. Of these, the cities and towns receive three-fourths.

Other licenses, annual—Auctioneers, not less than $2; billiard saloons, not less than $2; bowling alleys, not less than $2; carriages, $1; dogs, for breeding, five in number, $25, over five, $50; males and spayed females, $2; females, $5; peddlers, towns of 1,000 inhabitants, $3; 1,000 to 2,000, $6; 2,000 to 3,000, $8; 3,000 to 4,000, $10; cities and other towns, $10, plus $1 for every 1,000 inhabitants over 4,000, limit, $25; a licensee residing where he pays taxes on stock in trade, etc., pays only the excess of the license fee over the tax; horse killing establishments, not to exceed $1; intelligence offices, not less than $2; junk dealers, not less than $2; milk dealers, 50 cents; oyster digging, $2.50; pawnbrokers, $50; plumbers—master, $2; journeymen, 50 cents; private detectives, $10; slaughterhouses, not to exceed $1; steamboats, not less than $1; skating rinks and picnic groves, not less than $2; surveyor of lumber, not more than $1; lunch wagons, not less than $50; storage of explosives, $2.50.

G. WATERING RATES.

This tax is treated as a part of the general property tax, in which its returns are merged. In form it suggests a special assessment, but it differs therefrom in that it is regularly recurrent each year and is not for any permanent improvement. It differs from the general property tax in that it is levied on part of the property only and assessed upon each linear foot of frontage instead of upon valuation. In some cities and towns the same services are charged to the general property tax. It is levied and collected by the same officers as the general property tax.

A city may determine that the streets, or certain streets, or portions of streets shall be watered, in whole or in part, at the expense of the abutters. In such event the expense for a municipal year, the proportion thereof to be borne by abutters, and the rate to be assessed upon each linear foot of frontage upon such streets or portions of such streets is estimated and determined by the board of aldermen, and assessed upon the estates abutting on such streets in proportion to the number of linear feet of each estate on the watered street. The amount on each estate is determined by the board, or, if the board so determines, by the board of public works, the board of street commissioners, superintendent of streets, or other officer, who certifies the same to the assessors.

This tax is included in the annual tax bill of such estates and collected as other taxes on the same estates.

School Revenues.

The sum of $100,000 is to be paid annually from the treasury of the commonwealth into the school fund until the principal amounts to $5,000,000. The income is apportioned among the towns, to be applied by the school committees to the public schools.

Towns are required, under penalty of forfeitures, to raise by taxation money necessary for the support of public schools, which shall go to the school committees of the town.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

Mortgages upon buildings or other things, which, with the land upon which they are erected or affixed, are taxable as real estate, are deemed for purposes of taxation, to be mortgages on real estate.

Aviators must register and pay a license fee of $5, renewable annually without further charge.

MICHIGAN.[1]

The constitution of Michigan, adopted in 1850, prescribed the general property tax for state and local purposes, but also permitted the legislature to levy "specific" taxes upon certain classes of corporations for certain state purposes, mainly educational, such specific taxes to be in lieu of all other taxes.

Since then a new constitution has been adopted, going into effect January 1, 1909. Although the changes made in the revenue system by the new constitution are not very extensive, they materially strengthen the power of the legislature to impose the specific taxes referred to above. Authority is also conferred to provide for the assessment of all public service corporations at the true cash value of their property. It also makes distinct and clear provision for the taxation of corporations either by the specific or ad valorem method.

CONSTITUTIONAL PROVISIONS.

ARTICLE X.—FINANCE AND TAXATION.

SEC. 1. All subjects of taxation now contributing to the primary school interest fund under present laws shall continue to contribute to that fund, and all taxes from such subjects shall be first applied in paying the interest upon the primary school, university, and other educational funds in the order herein named, after which the surplus of such moneys shall be added to and become a part of the primary school interest fund.

SEC. 2. The legislature shall provide by law for an annual tax sufficient with other resources to pay the estimated expenses of the state government, the interest on any state debt, and such deficiency as may occur in the resources.

SEC. 3. The legislature shall provide by law a uniform rule of taxation, except on property paying specific taxes, and taxes shall be levied on such property as shall be prescribed by law: *Provided*, That the legislature shall provide by law a uniform rule of taxation for such property as shall be assessed by a state board of assessors, and the rate of taxation on such property shall be the rate which the state board of assessors shall ascertain and determine is the average rate levied upon other property upon which ad valorem taxes are assessed for state, county, township, school, and municipal purposes.

SEC. 4. The legislature may by law impose specific taxes, which shall be uniform upon the classes upon which they operate.

SEC. 5. The legislature may provide by law for the assessment at its true cash value by a state board of assessors, of which the governor shall be ex officio a member, of the property of corporations and the property, by whomsoever owned, operated, or conducted, engaged in the business of transporting passengers and freight, transporting property by express, operating any union station or depot, transmitting messages by telephone or telegraph, loaning cars, operating refrigerator cars, fast freight lines, or other car lines, and running or operating cars in any manner upon railroads, or engaged in any other public service business; and for the levy and collection of taxes thereon.

SEC. 6. Every law which imposes, continues, or revives a tax shall distinctly state the tax, and the objects to which it is to be applied; and it shall not be sufficient to refer to any other law to fix such tax or object.

SEC. 7. All assessments hereafter authorized shall be on property at its cash value.

SEC. 8. In the year 1911, every fifth year thereafter and at such other times as the legislature may direct, the legislature shall provide by law for an equalization of assessments by a state board, on all taxable property, except that taxed under laws passed pursuant to sections 4 and 5 of this article.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The supervisors, elected annually in each township, who make the initial assessments; in incorporated villages and in certain cities this work is done by an officer called the assessor, or by a board of assessors.

(2) The board of review for each township, composed of the supervisor, and two taxpaying landholders elected for two years, one in each alternate year. In cities of the fourth class the board of review consists of the supervisors of the several wards, the city assessor if such officer is provided for, the mayor, and the city attorney.

(3) The township or city treasurer, elected annually, who acts as tax collector.

(4) The county board of supervisors, composed of the supervisors of each township and city in the county, which equalizes the assessment between assessing districts.

(5) The state board of equalization, consisting of the secretary of state, the auditor general, the commissioner of the land office, the state treasurer, and the chairman of the board of state tax commissioners.

(6) The state board of tax commissioners, consisting of three members appointed by the governor for a full term of six years. This board, including the governor, who is a member ex officio, form the state board of assessors, provided for by section 5 of Article X of the constitution.

State Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

a. The property included and exempt.—All property, real and personal, within the jurisdiction of the state, not expressly exempted, is subject to this tax.

(1) Real property includes all lands within the state, and all buildings and fixtures thereon, and appurtenances thereto. Real estate is assessed in the township or place where situated to the owner, if known, or to the occupant, if the owner is unknown, and either or both shall be liable for the taxes; if there be no owner or occupant known, then as "unknown." Possessory claims to homestead lands are assessed as personal property.

(2) Personal property includes all moneys; all annuities and royalties; all goods, chattels, and effects within the state; all ships, boats, and vessels, and their appurtenances belonging to inhabitants of the state, whether at home or abroad; all goods, chattels, and effects belonging to inhabitants of the state, situate without the state, except property actually and permanently invested in business in another state; all credits of every kind belonging to inhabitants of the state, over and above the amounts owed by them; all shares in corporations, organized under the laws of the state, when the property of such corporations is not exempt or is not taxable in itself, or when the personal property is not taxed; all shares in banks within the state, at their cash value, after deducting the assessed value of real property of the banks; all shares of

[1] This compilation is derived mainly from the following sources:
Howell's Michigan Statutes, annotated, 1913.
Public Acts, sessions of 1907, 1909, 1911, and 1913.
General Tax Laws, edition 1907.

foreign corporations, except national banks, owned by citizens of the state; all interests owned by individuals in lands, the fee of which is in the state or the United States; all buildings and improvements upon leased lands except where the value of the real property is also assessed to the lessee or owner of such buildings and improvements; tombs and vaults for hire and the stock of any corporation owning them; all other personal property not herein enumerated and not specially exempted by law; all nursery stock and trees; all produce and grain on hand, stored in warehouse or mill, and in transit, owned within the state; the personal property of all gas and coke companies, natural gas companies, electric light companies, waterworks companies, and hydraulic companies, to be assessed in the township, village, or city where the principal works are located, the mains, pipes, and wires of such companies being assessed as personal property in the township, village, or city where located; the personal property of street railroad, plank road, cable or electric railroad, or transportation companies, bridge companies, and all other companies not required to pay a specific tax to the state in lieu of all other taxes, shall be assessed in the township, village, or city where its principal business office is situated, and the track, road, or bridge of any such company shall be held to be personal property, and may be assessed in the township, etc., where it is located, used, or laid.

(3) Exemptions, in addition to all public property, are: Property of library, benevolent, charitable, educational, and scientific institutions; houses of public worship and parsonages; cemeteries; the property of persons who, in the opinion of the supervisor and board of review, by reason of poverty, are unable to contribute toward the public charges; property of state and local agricultural societies; parks and armories; real estate owned as a homestead by a soldier or sailor of the Federal Government who served in the civil or Mexican war, or wife or widow of such, to the value of $1,000; property of posts of the Grand Army of the Republic, and of the Women's Relief Corps; and personal property of Sons of Veterans, Union Veterans' Union, and all Young Men's Christian Associations, Women's Christian Temperance Union Associations, Young People's Christian Unions, and similar associations; funds of fraternal beneficiary societies; pensions receivable from the United States; bona fide debts; property of Indians who are not citizens; the library, family pictures, schoolbooks, one sewing machine used and owned by each individual or family, and wearing apparel of every individual; household furniture, provisions, and fuel to the value of $500 to each household; working tools of any mechanic to the value of $100; fire apparatus of organized companies; all mules, horses, and cattle not over one year old, all sheep and swine not over six months old, and all domesticated birds; personal property owned and used by any householder in connection with his business to the value of $200; all property of the Woman's Auxiliary Society of the University of Michigan; all municipal bonds.

Mortgages are subject to a specific or recording tax of 50 cents for each $100 and each remaining major fraction thereof of the debt secured by the mortgage upon real property situated in the state recorded on or after January 1, 1912. This tax, collected by the county treasurer, is divided equally between county and state.

Mines and minerals are assessed against the owner at their true cash value as an interest in the real estate in the assessment district where located, and are subject to the same tax rate as all real property in the state.

b. Assessment.—In general, there is but one complete assessment roll for state, county, and municipal taxes, but incorporated villages and certain cities may cause a separate roll to be made up for their own taxation. The state assessment, determined by the state board of equalization every third and fifth year, commencing with 1911, is in effect a mere apportionment of the burden of the cost of state government among the counties, irrespective of the annual local assessment upon which the state tax is actually collected. The township, ward, or city is the unit, and the initial assessment is made by the township supervisor, or, where a city charter otherwise provides, by some assessor or board of assessors. In villages an assessment is made by an assessor and taxes for strictly village purposes only are levied thereon, all other taxes levied upon property situated in an incorporated village being spread upon the tax roll for the township in which the village is located.

The assessment of all property is made annually. Property is assessed to the owner or person in possession, and personal property in general follows the situs of that person, except in specified cases in which, on account of liability to evasion, the situs of the property itself is preferred. The supervisor must require a sworn statement from every person "of full age and sound mind," as to his property; and he may require persons claiming to have no property to take oath to that effect. The value assigned to the property by the owner is not taken as conclusive, it being the duty of the supervisor to make the valuation at the "cash value," or usual selling price, where the property is. The assessment proper is completed by the township or city board of review, which, after correcting the roll, is required formally to approve it.

Wilful neglect or refusal to furnish a statement of property owned or in control of a person, member of a firm, or officers of a corporation, is deemed a misdemeanor and is punishable by imprisonment for not less than 30 days nor more than 6 months, or by a fine of $100 to $1,000, or both.

Corporations in general are assessed precisely as individuals, but certain classes of corporations are assessed upon their property by the state board of assessors. The assessment made by this board is not apportioned among the townships or counties and is made the basis for state taxation only.

Since 1899 the state board of tax commissioners has had supervisory power over the assessment officials, and the power to compel an observance of the law.

Banks are assessed upon their real estate only, shares of the capital stock being assessed at their cash value (less the value of the real estate) to the stockholders, and at the place where the bank is located. Shareholders residing in other townships in the same county in which the bank is located are assessed for their shares in their home townships. The cashier of the bank is made the agent of the shareholders for the payment of the tax. Private banks are assessed on their tangible property, plus the excess of their credits over their deposits and debts.

Corporations generally, except railroad, insurance, telegraph, telephone, and banking companies, and others whose assessment is specifically provided for, are assessed upon their real property, plus the difference between that and the market value of the stock, which is taken to represent their personal property or franchises, and to this may be added the excess of their credits over their bona fide debts. Navigation companies and street railroads follow this general rule. (Citizens' Street Railway Co. *v.* Common Council of Detroit, 125 Mich., 673.)

Shares of stock in and evidences of indebtedness of all railroad companies in the state are taxed annually to the holders or owners thereof or to the person or corporation to whom same shall be owing, the shares thereof at 2 per cent upon the par value, and the evidences of indebtedness at 1 per cent of the face value or amount.

Steam vessels engaged in carrying passengers, or passengers and freight, are assessed annually a specific tonnage tax of 20 cents per net ton on registered tonnage; freight vessels are taxed 10 cents per net ton. This tax is collected by the state and apportioned to counties and townships where the port of hail of the vessels is located.

c. Equalization.—There is no equalization, so called, between individuals. Excessive assessments and undervaluations may, however, be corrected by the board of review, or by the board of state tax commissioners.

The county board of supervisors equalizes annually between townships, wards, or cities in their county, making such additions and deductions on the total value of real estate in the several townships as will, in their judgment, produce relatively an equal and uniform valuation in the county. The effect of equalization in this manner is felt entirely in the apportionment of state and county taxes, as the assessment roll, after it leaves the hands of the board of review, is not amended, except by the board of state tax commissioners.

The state board of equalization in 1911 and every consecutive third and fifth year thereafter, equalizes the valuation of all property in the state, except that paying specific taxes, by adding to or deducting from the aggregate valuation of taxable real and personal property such percentages as will produce relatively equal and uniform valuations between the several counties. This forms the basis of the apportionment of the state tax.

The state board of tax commissioners has powers analogous to those of boards of equalization. It has power, upon receipt of a written complaint signed by a taxpayer residing in the assessing district in which the property complained of is situate, to order a public hearing at which the supervisor and the interested parties are present, and may change individual assessments, add property omitted, and, when the assessment of all property in a given district is complained of, make a general review of the roll.

2. *Rate*—

The rate for state purposes is determined by the state board of assessors each year strictly by apportionment, an apparent exception being the so-called mill tax (three-eighths of 1 mill) on the equalized valuation of the state for the support of the university. The legislature makes such appropriations as it sees fit and directs in a general way the total amount of money to be raised. The auditor general certifies to the clerk of each county (the clerk acts as county auditor) that proportion of the toal amount to be raised for state purposes which the equalized valuation in each county bears to the total equalized valuation of the state as previously fixed by the state board of equalization. The county board of supervisors apportions the share of its county among the townships and cities on the basis of the annual valuation as equalized by said board in each, and the supervisor in each township apportions the amount assigned to the township among the individuals in proportion to their assessed property. There is thus no universal "state rate" save in connection with the state assessment.

3. *Collection*—

In general, all taxes, state and local, except those called "specific" (which still include the tax on railroads, etc., under the new law), are collected by the township or city treasurers. The taxes due from taxpayers become a debt to the city or township, and are secured by a lien on the property, attaching on the 1st day of December. Taxes are delinquent on the 10th of January, when the collection fee becomes 4 per cent; but if the treasurer is apprehensive of the loss of any personal tax, he may proceed to collect it by seizing the property and bringing suit in December, and in that case the collection fee is 4 per cent. After the 10th of January the treasurer makes a personal demand on each taxpayer who is delinquent, and in case payment is not made he collects by seizure and sale. The respective portions of the state and county are turned over to the county treasurer, who transmits the state's portion to the state treasurer.

The tax on railroad and kindred companies under the new law is a lien upon the real estate of the corporations, and is payable to the state treasurer on or before the 1st day of April, and if not paid on or before May 1, involves a penalty of 1 per cent a month and may be collected by suit. The tax thus collected is paid to the "primary school interest fund" and is disbursed annually to the school districts in the state in proportion to the number of children therein of school age.

The township treasurer as collector is paid by a fee of 1 per cent which is added to the taxes.

B. POLL TAXES.

There is no state poll tax.

C. THE INHERITANCE TAX.

A tax is imposed upon the transfer of any property, real or personal, of the value of $100 or over, or of any interest therein or income therefrom, in trust or otherwise, to persons or corporations not exempt by law from taxation on real or personal property, in the following cases:

1. When the transfer is by will or by the intestate laws of the state, from any person dying seized or possessed of the property while a resident of this state;

2. When the transfer is by will or intestate laws of the state, of property within the state, and the decedent was a nonresident of the state at the time of his death;

3. When the transfer is of property made by a resident or by a nonresident, when such nonresident's property is within the state, by deed, grant, bargain, sale, or gift, made in contemplation of death or intended to take effect after death.

This tax is at the rate of 5 per cent upon the clear market value of the property, is payable to the county treasurer, and becomes a lien upon such property until paid. The tax becomes due upon the death of the decedent, a discount of 5 per cent being allowed if paid within 12 months, and if not paid within 18 months interest at the rate of 8 per cent being added from the accruing thereof.

Exempt is property passing to the father, mother, husband, wife, child, brother, sister, wife or widow of a son, husband of a daughter, or adopted child, or to or for the use of any lineal descendant, or person to whom the decedent stood in the mutually acknowledged relation of parent for not less than 10 years prior to such transfer, unless it is personal property of the clear market value of $2,000 or over, in which case the entire amount is taxed at the rate of 1 per cent of the clear market value.

The tax is for the use of the state and is applied to educational purposes and for the payment of the interest and principal of the state debt.

D. CORPORATION TAXES.

Most corporations are taxed under the general property tax.

Special provisions are made in the case of certain public service corporations, insurance companies, river improvement companies, and kindred organizations.

The property of these public service corporations (which include railroad, union station and depot, telegraph, telephone, sleeping car, express, car loaning, stock car, refrigerator, fast freight, and all other companies owning, leasing, or operating cars) is assessed on the state assessment roll at their true cash value determined by the state board of assessors. Taxes are levied on this assessment, and the rate is the rate determined by the board, which is to be the average rate of taxation in the state for state, county, township, school, and municipal purposes.

Foreign life and all plate glass, accident, live stock, steam boiler, and fidelity insurance companies are taxed 2 per cent of the gross premiums received in the state, while foreign fire, "Lloyds," and marine insurance companies pay at the rate of 3 per cent. A retaliatory tax is laid on insurance companies incorporated in states which levy heavier taxes on Michigan companies.

River improvement companies pay 1 per cent per annum on paid-up capital.

Road companies pay 2½ per cent per annum on gross earnings.

E. BUSINESS TAXES, LICENSES, AND FEES.

Itinerant vendors, $25 per annum—collected by the secretary of state.

Hawkers and peddlers.—On foot, $5; 1 horse, $20; more than 1 horse, $40; on railroad or steamboat, $100; taking orders, $50—collected by the state treasurer annually. Auction duties—sales of spirits and wines, 2½ per cent; goods imported from outside the United States, 1½ per cent—collected by county treasurers and paid to the state. Liquor tax—the state does not share in the ordinary liquor tax or licenses which are collected by the county treasurer, but levies a specified tax on nonresident wholesale dealers of $500 annually, and compels them to execute a bond of $3,000. For the maintenance of a warehouse or agency in the state by such dealers a fee of $50 for each one. The auditor general issues the license and collects the fees.

Hunters' licenses.—Nonresident, to hunt deer, $25; to hunt other game, $10; resident, to hunt deer, $1.50. Collected by county clerk and paid into state treasury after deducting specified fees.

Permit to take or kill any wild animal or game bird for scientific or propagating purposes, $1, which goes to the state treasury.

Permit to transport game held in captivity, etc., $1.

To kill beaver one-half of county license, which is $5. (See County Revenues.)

Automobile license.—All motor vehicles for registration $3 annually; chauffeurs, $3 annually.

Steamboat pilots' license, $5 yearly, paid into general fund of the state treasury.

Manufacture of ice cream.—Annual license fee, $5, paid into state treasury to defray expense of dairy and food law.

Fees for filing articles of incorporation or annual statements, 50 cents; for recording or copying articles of association, 20 cents per folio of 100 words; for seal, 25 cents; franchise fees, one-half of 1 mill on each dollar of authorized capital stock.

Fees to boards of registration.—Medicine, $25; osteopathy, $25; dentistry, $20; pharmacy, not to exceed $5 for application to take examination and an annual fee of $1 to practice pharmacy; nurses, $10; optometrist, examination fee, $15; registration, $5, and an annual fee to practice, $2; veterinary surgery, $5; the state veterinary board also collects a fee of $2 for registration of stallions, which is turned into the state treasury; barbers, $5; horseshoers, $3; plumbers, $2; embalmers, $10; public accountants, $25.

Inspection of steam vessels not less than $5 nor more than $25, paid into state treasury for use of general fund.

To attorney general.—Mutual insurance companies pay fee of $5 for incorporation.

F. THE INCOME TAX.

There is no income tax in Michigan.

County Revenues.

A. GENERAL PROPERTY TAXES

1. *Base—*

The property included and the assessment and equalization are the same for the county tax as for the state.

2. *Rate—*

The amount to be raised is levied by the county board of supervisors and apportioned among the townships and cities.

3. *Collection—*

Same as for the state tax.

B, C, AND D. POLL, INHERITANCE, AND CORPORATION TAXES.

There are no poll, inheritance, or special corporation taxes for county purposes.

E. BUSINESS TAXES, LICENSES, AND FEES.

Liquors.—Upon the business of selling liquors the rates are: Selling at retail, spirituous or malt, $500; malt liquors at wholesale or retail, or both, $500; spirits at wholesale, $500; spirits at wholesale and retail, $800; manufacturing malt liquors, $65; manufacturing spirits, $800. This tax is collected by the county treasurer, who retains 1 per cent as his compensation for making the collection, places one-half of the remainder to the credit of the general fund of the county, and turns the other half over to the township, village, or city in which the business is located; except in the upper peninsula, where the entire amount, less the collection fee, is paid over to the township, village, or city in which the business is located.

To kill not to exceed 15 beavers, a license fee of $10 payable to county clerk who issues license. One-half of the license money goes to the state general fund and one-half to the county general fund.

Municipal Revenues.

The divisions of local government are the townships, the villages, the cities, the road districts, and the school districts which are divisions of the township; but under certain circumstances school districts may be coextensive with cities or villages.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the assessment and equalization are, in general, the same as for state taxes, except that villages and certain cities may make up separate rolls.

2. *Rate—*

In townships the amount to be raised by taxation is fixed by the inhabitants at town meeting, subject to certain legal limitations. If the town meeting fails to fix the amount, the township boards may levy within certain limits.

In villages the power to levy taxes rests with the village council, under restrictions imposed by law. In cities the city council fixes the rate, subject also to many legal restrictions.

3. *Collection—*

This is, in general, the same as for state taxes. Cities, however, may collect in two instalments—one for general and one for city taxes.

B. POLL TAXES.

The village council has the power to levy a poll tax of $1 on all males between the ages of 21 and 50, except active members of the fire department, which is paid into the general highway fund.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no municipal inheritance or corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

In general, villages and cities may license, at rates to be fixed by the councils, billiard tables and bowling alleys; taverns and eating houses; public shows and exhibitions; auctioneers, hawkers and peddlers, transient traders and dealers; hacks and other public vehicles; solicitors for passengers or baggage; wharf boats, ferries, and toll bridges; maternity hospitals; and city boards of health may charge fees for examination of plumbers.

Municipal governments receive one-half the liquor taxes collected by the county.

There is a special dog tax collected by a dog warden in each township to form a fund for the payment of damages done by dogs to sheep. Cities may also levy a tax on dogs. On every male dog over 6 months old, $1; every female dog over 6 months old, $3. For boarding dogs or keeping them for the purpose of breeding, sale, or exchange, when not less than five in number, there is a kennel license of $25, which shall be in lieu of all other taxes.

Hawkers and peddlers in the upper peninsula pay a license not to exceed $100, which goes into the township fund where issued.

School Revenues.

The interest on the state school fund, the principal of which was originally derived from the sale of lands granted by the United States, is apportioned semi-annually to the school districts. (See the provisions of Art. X, sec. 1, of the Constitution, cited above.) All money derived from the dog tax, after paying the claims of sheep owners, is apportioned to the school districts. There is a permanent tax of 1 mill on the $1 levied in each township. For further revenues the school boards estimate the amount that is to be raised and it is levied by the township.

Road Taxes.

Road taxes are levied either by vote of the electors at the annual town meeting or by the township board and the township highway commissioner acting jointly, who determine, within prescribed limits, the amount necessary to be raised.

There are two funds, the "highway improvement fund," which is to be used for permanent improvement only, and the "road repair fund." In addition to the above, special taxes may be levied for bridges. A "county road system" may be adopted by vote by any county in the state. This tax is apportioned to each assessing district in the county in the same manner as the state and county taxes are apportioned. Money thus raised is expended on roads in the county, designated by the county road commissioners.

Good roads districts.—Any combination of townships, villages, or cities lying contiguous in any county are authorized to form themselves into a district to be known as a "good roads district," which district can levy a tax not to exceed $2 upon each $1,000 valuation of said district. The tax is paid into the county treasury to be kept in a separate account and to be paid out by order of the road commissioners.

Legislation Affecting Revenue Laws: 1913.

The tax on mortgages was extended to those recorded outside the state of Michigan, securing debts originating within the state.

A board of public accountancy was established, the examination and license fee for all public accountants being fixed at $25.

Under certain conditions cut-over and wild lands were exempted from all taxation for a period of five years.

The inheritance tax was changed to include the grandfather and grandmother of the decedent in the first class of heirs and increasing the amount exempted to the wife from $2,000 to $5,000.

A tax of ¼ cent per ton on all beets manufactured into sugar was imposed to cover the expense of state inspection of sugar-beet factories.

County boards of supervisors were authorized to levy a special tax for the purpose of advertising the agricultural advantages of the state, etc.; also to levy a tax of 50 cents on the $1,000 valuation to establish a county agricultural department, and a tax of $\frac{1}{10}$ mill for repairs to public buildings.

MINNESOTA.[1]

In Minnesota, the prevailing system of taxation, except as to certain public utility corporations, real estate mortgages, grain, and money and credits, is known as the "general property tax." Although the state derives an increasing amount of revenue from special taxes, separation of state and local revenues has not yet been accomplished.

In a general way, revenues may be divided as follows: Those derived from the ad valorem tax on telegraph and sleeping-car companies and the gross earnings tax on railroad, telephone, freight line, and express companies are devoted to state purposes only; those from general property, tonnage, inheritance, money and credits, bushel tax on grain, mortgage registry tax, and license tax, to both state and local purposes, and those from the gross premium tax on insurance companies, to local purposes only.

CONSTITUTIONAL PROVISIONS.

ARTICLE IX.

SEC. 1. The power of taxation shall never be surrendered, suspended or contracted away. Taxes shall be uniform upon the same class of subjects, and shall be levied and collected for public purposes, but public burying grounds, public schoolhouses, public hospitals, academies, colleges, universities, and all seminaries of learning, all churches, church property used for religious purposes, and houses of worship, institutions of purely public charity, and public property used exclusively for any public purpose, shall be exempt from taxation, and there may be exempted from taxation personal property not exceeding in value $200, for each household, individual, or head of a family, as the legislature may determine: *Provided*, That the legislature may authorize municipal corporations to levy and collect assessments for local improvements upon property benefited thereby without regard to a cash valuation: *And, provided further*, That nothing herein contained shall be construed to affect, modify, or repeal any existing law providing for the taxation of the gross earnings of railroads.

ARTICLE IV.

SEC. 32a. Any law providing for the repeal or amendment of any law or laws heretofore or hereafter enacted, which provides that any railroad company now existing in this state, or operating its road therein, or which may be hereafter organized, shall in lieu of all other taxes and assessments upon their real estate, roads, rolling stock, and other personal property, at and during the time and periods therein specfied, pay into the treasury of this state a certain percentage therein mentioned of the gross earnings of such railroad companies now existing or hereafter organized, shall, before the same shall take effect or be in force, be submitted to a vote of the people of the state and be adopted and ratified by a majority of the electors of the state voting at the election at which the same shall be submitted to them.

SEC. 33. The legislature shall pass no local or special law regulating the building or repairing of schoolhouses and the raising of money for such purposes, exempting property from taxation, or authorizing public taxation for a private purpose.

ARTICLE XI.

SEC. 5. Local taxation.—Any county and township organization shall have such powers of local taxation as may be prescribed by law.

ARTICLE IX.

Sec. 17. The legislature may impose upon the property within this state of any and all owners or operators of any and all sleeping, parlor, and drawing room cars, which run into or through this state; also upon the property within the state of any and all telegraph and telephone companies in the state; also upon the property within the state of all express companies, domestic insurance companies, operators of mines, boom companies, shipbuilders (provided that the amendment does not apply to railroad property) a tax on property uniform with other taxes or upon net earnings, graded or progressive, or both.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Assessors; in townships and villages, elected by the people for two years; in cities, appointed by the councils.

(2) Town board of review, composed of the supervisors of each town, the assessor, clerk and president of each incorporated village, and the assessor, clerk, and mayor of each city, except cities whose charters provide for a board of equalization. The borough council of every borough constitutes a borough board of equalization. In cities of the fourth class, except those whose charters provide for a board of equalization, the board of review consists of the mayor, clerk, and board of aldermen.

(3) County auditor, who has general supervision of the assessment.

(4) County board of equalization, composed of the county commissioners and the county auditor.

(5) County treasurer, who is collector of taxes, elected for two years.

(6) State tax commission, composed of three members appointed by the governor. Term of office six years, only one member retiring at a time. This commission exercises general supervision over the administration of the assessment and taxation laws of the state and sitting as a board of equalization has the power of equalizing individual town and county assessments.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All real and personal property in the state, and all personal property of persons residing therein, is subject to taxation, except as expressly exempted or upon the earnings of which a percentage is collected in lieu of the property tax.

(1) Real property includes, for the purposes of taxation, the land itself, and all buildings, structures, and improvements, or other fixtures of whatsoever kind thereon, all rights and privileges appertaining thereto, and all mines, minerals, quarries, fossils, and trees on and under the same.

Mortgages on lands are covered by the mortgage registry tax, except in the case of persons or corporations whose personal property is expressly exempted from taxation by law, or is taxed upon the basis of gross earnings, or other methods of commutation in lieu of all other taxes.

Lands of any railroad company exempted by the gross earnings tax law become subject to taxation "as soon as sold, leased, or contracted to be sold or leased."

Whenever any special stock and land stock, or any other writing or instrument whatever, is issued by any railroad company to any person with a view to secure to the person any right, title, or interest in the lands, that interest becomes taxable to the holder as other real property in the state.

(2) Personal property includes all goods, chattels, moneys, and effects; all ships, boats, and vessels belonging to inhabitants of this state, whether at home or abroad; all improvements on lands the fee of which is still vested in the United States, or corporations whose property is not subject to the same mode and rule of taxation as other property; stock of nurserymen; all gas, electric, and water mains, pipes, conduits, poles, and wires located in any road, street, or alley, and all tracks, roads, and bridges of street railway, plank road, turnpike and bridge companies, together with the poles and wires laid in connection therewith; credits of every kind over and above debts owed by the creditor; the income of every annuity, unless the capital of the annuity be taxed within the state; all public stocks and securities; all personal estate of moneyed corporations, whether the owners thereof reside in or out of the state; all shares in foreign corporations owned by residents of this state; all shares in banks organized under the laws of the United States or of this state.

(3) Exemptions, in addition to public property, are all public schoolhouses, academies, colleges, universities, and all seminaries of learning; all churches, church property used for religious purposes, and houses of worship; cemeteries; institutions of purely public charity, hospitals, and their endowments; property of fire companies, both public and private; public libraries; and personal property of each individual up to $100 in value; also the property of agricultural societies, incorporated under the state law; camp meeting associations, and fraternal beneficiary associations; armories, and drill halls used for benefit of any incorporated military organization; uniform, arms and equipment of members of national guard up to $200.

b. Assessment.—The assessment is made with reference to the holding and value on May 1. Real property shall be listed and assessed every even numbered year; personal property, annually.

The lists are to be made under oath but the valuation is to be fixed by the assessors, each item at its true and full value in money. Shares of stock in corporations, taxed on capital and property, need not be listed. From the gross amount of credits, which may include grain to the value of $300 held by the producer for sale, may be deducted bona fide indebtedness, except insurance premium notes and subscriptions to capital stock or to charitable institutions. Banks do not have this privilege of deduction from credits.

Willfully submitting a false statement in regard to taxes is a gross misdemeanor and punishable by fine not to exceed $1,000, or by imprisonment not to exceed one year.

Real estate is assessed in the even numbered years upon actual view, at its full value, including the value of all improvements. The value of the land, exclusive of improvements, is also to be determined. In odd numbered years the assessor is to correct the assessment for new structures or losses.

Property undervalued by county officials or unlawfully omitted from the assessment may be called to the notice of the tax commission, which shall thereupon appoint an examiner to assess the property at its true value. Taxes so assessed are a lien on all real property of the owner in the county.

Any mineral, gas, coal, oil, or similar interest in real estate owned separately from the interests owned in the surface of such real estate is assessed and taxed separately.

The auditor of the state is to certify to the counties lists of public and railroad lands becoming taxable.

Corporations, except those specifically taxed, are assessed on their real estate and personal property and also on capital stock. From the market value of the shares of stock is deducted the amount of all indebtedness and the value of the property, real and personal, and the balance is listed as "bonds and stocks."

Mortgages of building and loan associations which are represented in their stock are not to be assessed as mortgages.

Bank stock is assessed where the bank is located. The accounting officer of the bank is to furnish a statement of the stockholders and the number of shares. The amount of investments in real estate is to be deducted from the capital and surplus fund, and the remainder shall be taken as the basis for valuation of the shares in the hands of the stockholders.

Personal property of street railroad, plank road, gravel road, turnpike or bridge companies is listed and assessed in the place where the principal place of business is located.

Every person, firm, or corporation operating a grain elevator or warehouse is taxed one-fourth of 1 mill per bushel on wheat and flax, and one-eighth of 1 mill on all other grain, handled by such elevator or warehouse during the preceding year.

The law provides for a separate listing of money and credits and imposes a flat tax rate of 3 mills on the dollar in lieu of all other taxes. "Money" includes all forms of currency in common use, whether in hand or on deposit in a bank; "credits" include book accounts, notes, bonds, rents, annuities, and mortgages upon which no tax has been paid. No deduction is allowed for debts. Money and credits taxable under the act are listed and assessed separately on blanks furnished by the tax commission, and the assessment is reviewed and equalized like other personal property. The tax is apportioned, one-sixth to the state revenue fund, one-sixth to the county revenue fund, one-third to the municipality, and one-third to the school district in which the property is assessed.

Vessels owned in or hailing from any port of the state, employed in navigation of international waters, pay annually 3 cents per net ton of their registered tonnage. This tax is in lieu of all other taxes. One-half of the tax is paid to the county in which the port of hail of the vessel is located.

A registry tax of 50 cents is imposed on each $100 of any debt secured by a mortgage on real property in the state. The tax must be paid to the treasurer of the county in which the mortgaged land is situated at the time of the filing of the mortgage and is in lieu of all other taxes on such mortgages. The receipts from this tax are distributed in the same manner as real estate taxes paid upon the real estate described in the mortgage.

c. Equalization.—The town board of review examines the assessment in its town or district, supplies omissions, and hears complaints.

[1] This compilation is derived mainly from the following sources:
The General Statutes of Minnesota and the Session Laws to 1913.
Tax Laws of Minnesota, compiled by the state tax commission, 1908.
Reports of the state tax commission, especially the one for the year 1912.

The county board of equalization examines and compares the assessments of the several towns or districts of the county. It may raise or lower the value of real and personal property, but the aggregate value is not to be reduced.

The Minnesota Tax Commission equalizes the assessed valuation of all property as between the counties of the state, by raising or lowering the valuation of classes or individual pieces of property in any town, village, or city.

2. *Rate*—

Taxes are required to be levied in specific amounts and the rate is to be determined from the annual equalized valuation.

The state rate for general revenue purposes is determined by the legislature and may vary from year to year according to the needs of the state. For the year 1912 the amount to be raised for general revenue purposes was fixed at $2,200,000, the rate, however, not to exceed 1.9 mills on each dollar of valuation.

3. *Collection*—

Taxes for state, county, city, town, school, and other districts are collected by the county treasurer. The treasurer gives notice when he will attend in each town and district to receive the taxes.

Taxes assessed on personal property are a lien after judgment is rendered, and are deemed delinquent on March 1, when a penalty of 10 per cent attaches. After April 1 they may be collected by distraint and sale.

Taxes on real property are a lien thereon from the first Monday in January, and if unpaid on June 1, a penalty of 10 per cent attaches. They may, however, be paid in two instalments, one-half prior to June 1 and one-half prior to November 1. On the first Monday in January an additional penalty of 5 per cent is charged on delinquent taxes, and on the first Monday in May the county auditor is to sell at public vendue all land against which judgment has been entered.

Any tax due to the state remaining unpaid for 30 days shall draw interest at the rate of 12 per cent per annum.

B. POLL TAXES.

There is no state poll tax.

C. THE INHERITANCE TAX.

A tax is imposed on any transfer of property, real, personal, or mixed, or any interest therein or income therefrom, except to county, town, or municipal corporations within the state, for strictly county, town, or municipal purposes, in the following cases:

1. When the transfer is by will or by the intestate laws of the state, from any person dying seized or possessed of the property while a resident of this state.

2. When the transfer is by will or intestate laws of the state, of property within the state, or within its jurisdiction, and the decedent was a nonresident of the state at the time of his death.

3. When the transfer is of property made by a resident or by a nonresident, when such nonresident's property is within the state, or within its jurisdiction, by deed, grant, bargain, sale, or gift, made in contemplation of death or intended to take effect after death.

4. When any person becomes entitled to property by any such transfer made before or after the passage of this chapter.

5. When any person shall exercise a power of appointment, derived from disposition of property made before or after the passage of this chapter, such appointment when made shall be deemed a transfer taxable in the same manner as though the property belonged to donee of such power.

6. This tax shall be computed on the true and full value in money of the property at the date of the death of the decedent.

When the property which passes by any such transfer does not exceed in value $15,000 and does exceed the exemption granted, the tax is:

(1) In the case of a wife or lineal issue, 1 per cent; (2) in the case of a husband, lineal ancestor, adopted child, or child to whom the decedent stood in loco parentis for 10 years prior to the transfer, 1½ per cent; (3) in the case of a brother or sister or descendant of them, a wife or widow of a son, or husband of a daughter of the decedent, 3 per cent; in the case of a brother or sister of the father or mother of the decedent, or a descendant of them, 4 per cent; in the case of other degrees of collateral consanguinity, of a stranger in blood to the decedent, or of a body politic or corporate, 5 per cent.

These rates are termed primary. When the clear value of the property exceeds $15,000, the rates on such excess are as follows: Over $15,000 and up to $30,000, 1½ times the primary rate; over $30,000 and up to $50,000, 2 times; over $50,000 and up to $100,000, 2½ times; upon all in excess of $100,000, 3 times.

Exemptions.—Classes 1 and 2 except lineal ancestors, $10,000; lineal ancestors, $3,000; class 3, $1,000; class 4, $250; class 5, $100. Property to the clear value of $2,500 transferred to a public hospital, academy, college, university, seminary of learning, church, or institution of purely public charity, within the state, is also exempt.

The tax becomes due and payable at the expiration of 1 year from the death of the decedent. Interest is charged at 7 per cent if not paid when due, except in case of unavoidable delay when the rate is 6 per cent until cause of delay is removed. The court may appoint appraisers to ascertain the value of the estate. The entire tax is paid to the state for state uses, but in the case of estates of resident decedents it returns 10 per cent to the county from which the tax was received. In the case of the estates of nonresident decedents the state retains the entire amount of the tax.

D. CORPORATION TAXES.

The law provides two general methods of taxing corporations in Minnesota, the general property tax and the gross earnings tax. The property of corporations engaged in manufacturing and business enterprises and of certain public utility corporations, such as telegraph and sleeping car companies, water, gas, and electric light companies, is assessed and taxed on the ad valorem basis. Railroad, freight lines, express, and telephone companies pay a certain specified amount of their gross earnings in lieu of all other taxes.

All railroads owning or operating lines in the state, except street railways, are taxed 4 per cent per annum on their gross earnings derived from operations in the state.

Telephone companies pay 3 per cent; fast freight lines and express companies pay 6 per cent.

On or before February 1 of each year all companies subject to the gross earnings tax are required to file with the tax commission an itemized statement, showing the gross earnings for the preceding year. The tax commission computes the tax and the state treasurer collects it. If such companies fail to make return within 30 days after being notified, the commission proceeds to fix the amount of the gross earnings for the preceding year from the best evidence it can obtain and then adds a penalty equal to 25 per cent of the tax for such failure.

E. BUSINESS TAXES, LICENSES, AND FEES.

Annual licenses are collected as follows: Agent of railroads, steamboats, and steamboat lines, $3; local warehouses, $1; dealers in milk and cream, $1; commission merchants, $1; itinerant physician, $300; resident hunters, $1; nonresident hunters, to hunt big game, $25; to hunt small game, $10; fishing, to use nets, $25. Automobiles; for registration of motor vehicles, $1.50 triennially; dealers or manufacturers, $10 annually; chauffeurs for application fee, $3; license, $2 annually. Liquors sold in railroad dining and buffet cars, $50 annually. Two per cent of all moneys received in the state for liquor licenses is paid to the state treasurer and is applied to the inebriate hospital fund.

Corporations, filing articles of association, first $50,000 capital stock, $50; every additional $10,000, $5; increase, every additional $10,000, $5. Insurance—township mutual fire insurance companies, filing certificate of incorporation, $2, annual statement, $1, certificate of authority, $1; domestic companies, filing certificate of incorporation, $30, certificate of authority, $1; foreign companies, certificate of incorporation and by-laws, $30, statement of financial condition, $20, certificate of authority, $2; all companies (except township mutuals), filing certified copy of amendment to articles of incorporation, $10, annual statement, $20, summary of annual statement for publication, $10; general fees, certificate, including certified copy of authority, renewal, valuation of life policies, corporate condition or qualification, $1; copy of papers on file in commissioner's office, 20 cents per folio, and for certifying the same, $1; license to procure fire insurance in unadmitted foreign companies, $10; broker's license, $10; receiving and forwarding copy of summons served upon commissioner of insurance, as attorney for insurance company, $2; receiving and filing certificate of valuation of policies by company's actuary or by the commissioner of any other state, $50.

For examination and certification of public accountant, $25; physicians, $10; special examination to nonresident physician, $50; osteopaths, $20; nurses, $5; dentists, $20; embalmers, $5; veterinarians, $25; pharmacists, $10, annual fee, $2; private detective agencies, $10.

F. THE INCOME TAX.

There is no income tax in Minnesota.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the assessment and equalization are the same for county taxes as for state.

2. *Rate*—

County taxes are levied by the county commissioners.

The rate is not to exceed 5 mills in counties with valuation of $1,000,000 or more. The amount of the tax is not to exceed $5,000 in other counties, nor the rate 1 per cent.

3. *Collection*—

Same as for state taxes.

B. POLL TAXES.

There are no county poll taxes.

C. THE INHERITANCE TAX.

The counties receive 10 per cent of the inheritance taxes collected therein from the estates of resident decedents.

D. CORPORATION TAXES.

There are no county corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

Liquors, license for sale in quantities not less than five gallons, $500 per annum. The county also receives from municipalities, except cities of 10,000 population or more, 10 per cent of the liquor licenses; ferries, $5 to $200 per annum; employment bureaus, $75 to $150 per annum; auctioneers, $10 per annum; transient merchants, $150 per annum; hawkers and peddlers, two horses, $30, one horse, $15, pushcart, $10, basket, $5, per annum.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the assessment and equalization are, in general, the same for municipal taxes as for state; but municipalities may have their own assessment.

2. *Rate*—

For township purposes the rate is limited to 2 mills in townships with a valuation of $100,000 or more, and the amount in other townships is not to exceed $150 nor the rate one-half of 1 per cent. For road and bridge purposes the limit is 10 mills; for support of the poor, 5 mills; for school districts, not to exceed 15 mills, or for the erection of a schoolhouse, 1 per cent; and for public libraries, 2 mills.

Cities are limited to 2 per cent for general purposes; but the common council may also levy a tax not to exceed 1 mill for park purposes.

3. *Collection*—

Same as for county taxes.

B. POLL TAXES.

Every male inhabitant in any municipality in the state organized and operating under general laws, between the ages of 21 and 50, except paupers, insane persons and others exempted by law, is assessed not less than one nor more than four days' labor each year.

C. THE INHERITANCE TAX.

There is no municipal inheritance tax.

D. CORPORATION TAXES.

An insurance tax of 2 per cent of the gross premiums is paid to cities and villages where collected unless there is a duly organized firemen's relief association therein, in which event it is paid direct to the latter. The local board of underwriters in each municipality also receives directly from foreign insurance companies an additional 2 per cent of the gross premiums for the maintenance of a salvage corps.

E. BUSINESS TAXES, LICENSES, AND FEES.

The common councils of cities have power to license amusements, shows, billiard tables, pool tables, bowling alleys, auctioneers, hawkers, and peddlers, the sale of liquors, pawnbrokers, and employment bureaus.

Liquor licenses.—Cities of 10,000 or more, $1,000 per annum; cities less than 10,000, $500 to $1,000 per annum.

School Revenues.

There is levied annually upon the taxable property of the state a tax of 1.23 mills, known as the "state school tax," of which 1 mill is added to the general school fund, making, together with sundry fees and fines, the "current school fund;" the state university receives the interest and income annually from the permanent university fund, and twenty-three one-hundredths mills on the dollar of the state school tax.

The state's current school funds are apportioned among the several counties, according to the number of scholars, and thence to the school districts. Liquor licenses and fines are also so apportioned by the county.

The county commissioners also levy an annual tax of 1 mill, known as the "local mill tax."

In school districts of over 50,000 inhabitants the total levy may not exceed 8 mills on the dollar; in districts having 20,000 inhabitants and not over 50,000, the levy is not to exceed 11 mills.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

The full value assessment was relaxed so as to permit iron ore, mined or unmined, to be assessed at 50 per cent of true value; household goods and furniture at 25 per cent; live stock, poultry, agricultural products, stocks of merchandise with fixtures and furniture used therewith, all tools, implements, and machinery and all unplatted real estate, except iron mines, at 33⅓ per cent; and all other property subject to general property tax at 40 per cent.

The personal property of street railroad, plank road, gravel road, turnpike or bridge companies, was made listable in the county, town, village, city, or district where located, and there assessed. Express companies were taxed 8 per cent and sleeping car companies 5 per cent on their gross earnings.

The mortgage registry tax rates are reduced to 15 cents on each $100 where mortgage runs for five years or less and 25 cents where for more than five years. This tax is appropriated one-sixth to the state, one-sixth to the county and the balance equally between the school district and other subdivision in which the real estate mortgaged is situated.

Pharmacists: Examination, $5; annual fee, $3.

Trust companies were taxed 5 per cent of their gross earnings. Such companies which receive deposits subject to check other than trust deposits are assessed as incorporated banks.

Fire insurance companies were taxed three-eighths of 1 per cent of their gross premiums for maintenance of the office of the state fire marshal.

Counties were directed to levy a tax not to exceed 3 mills for the county road and bridge fund. Certain cities were authorized to levy a tax of one-half mill for public musical entertainment.

Towns were authorized to levy a tax not to exceed 15 mills for road and bridge purposes, and, in an emergency, a further tax not to exceed 5 mills for the same purpose. Villages were authorized to levy a tax not to exceed 5 mills for a water and light plant.

School districts in which a high or graded school is maintained were authorized to levy a school tax of 25 mills instead of 15 mills, as in other districts. Special school districts whose boundaries are coterminus with any city of the fourth class were authorized to levy a school tax not to exceed 20 mills.

Certain changes in licenses were authorized, the principal ones being a cigarette license, $25, biennial; hotel and restaurant, annual license, $2; "salary loan" or "chattel mortgage loan" companies, annual license, $25. Provision was also made for licensing the business of keeping fur-bearing animals for breeding purposes.

MISSISSIPPI.[1]

The revenue system of Mississippi is distinguished by an elaborate system of privilege taxes for state revenue. There are the general property and poll taxes, and an income tax, adopted in 1912, but no inheritance tax. Most corporations are taxed on their property by the ad valorem tax, together with a privilege tax, but freight line and car equipment companies pay a "gross earnings" tax.

Telegraph, express, sleeping car, and insurance privileges are taxable only by the state, but counties and municipalities may also lay taxes on other privileges up to 50 per cent of the state tax.

Drainage districts under government of commissions, obtain revenue from betterment taxes or special assessments.

CONSTITUTIONAL PROVISIONS.

Sec. 112. Taxation shall be uniform and equal throughout the state. Property shall be taxed in proportion to its value. The legislature may, however, impose a per capita tax upon such domestic animals as from their nature and habits are destructive of other property. Property shall be assessed for taxes under general laws, and by uniform rules, according to its true value. But the legislature may provide for a special mode of valuation and assessment for railroads, and railroad and other corporate property, or for particular species of property belonging to persons, corporations, or associations not situated wholly in one county. But all such property shall be assessed at its true value, and no county shall be denied the right to levy county and special taxes upon such assessment as in other cases of property situated and assessed in the county.

Sec. 80. Provision shall be made by general laws to prevent the abuse by cities, towns, and other municipal corporations of their powers of assessment, taxation, borrowing money, and contracting debts.

Sec. 90. The legislature shall not pass local, private, or special laws relating to the exemption of property from taxation or from levy or sale, but provision is to be by general laws * * * .

Sec. 181. The property of all private corporations for pecuniary gain shall be taxed in the same way and to the same extent as the property of individuals, but the legislature may provide for the taxation of banks and banking capital, by taxing the shares according to the value thereof (augmented by the accumulations, surplus, and unpaid dividends), exclusive of real estate, which shall be taxed as other real estate. Exemptions from taxation to which corporations are legally entitled at the adoption of this constitution shall remain in full force and effect for the time of such exemptions as expressed in their respective charters, or by general laws, unless sooner repealed by the legislature. And domestic insurance companies shall not be required to pay a greater tax in the aggregate than is required to be paid by foreign insurance companies doing business in this state, except to the extent of the excess of their ad valorem tax over the privilege tax imposed upon such foreign companies; and the legislature may impose privilege taxes on building and loan associations in lieu of all other taxes except on their real estate.

Sec. 182. (The legislature is authorized to grant, by general laws, exemptions from taxation in the encouragement of manufactures and other new enterprises of public utility for a period of five years.)

Sec. 192. (Cities and towns may by general laws be authorized to encourage the establishment of manufactories, gas works, waterworks, and enterprises of public utility other than railroads, within the limits of the cities or towns, by exempting their property from municipal taxation for periods not longer than 10 years.)

Secs. 228 to 239. (The alluvial land of the state is divided into two levee districts. The legislature shall impose for levee purposes, in addition to other levee taxes authorized by law, a uniform tax of 2 to 5 cents per acre per annum upon land embraced in the districts. The legislature may provide such system of taxation as it deems proper for the levee districts.)

Sec. 243. A uniform poll tax of $2 to be used in aid of the common schools, and for no other purpose, is hereby imposed on every male inhabitant of this state between the ages of 21 and 60 years, except persons who are deaf and dumb or blind, or who are maimed by loss of hand or foot, said tax to be a lien only upon taxable property. The board of supervisors of any county may, for the purpose of aiding the common schools in that county, increase the poll tax in said county, but in no case shall the entire poll tax exceed in any one year $3 on each poll. No criminal proceedings shall be allowed to enforce the collection of the poll tax.

Sec. 206. There shall be a county common school fund, which shall consist of the poll tax to be retained in the counties where the same is collected, and a state common school fund, to be taken from the general fund in the state treasury, which together shall be sufficient to maintain the common schools for the term of four months in each scholastic year. But any county or separate school district may levy an additional tax to maintain its schools for a longer term than the term of four months. The state common school fund shall be distributed among the several counties and separate school districts in proportion to the number of educable children in each, to be determined from data collected through the office of the state superintendent in the manner to be prescribed by law.

OFFICERS.

The officers most directly concerned with taxation are:

(1) County assessors, elected for four years.

(2) County sheriff—ex officio tax collector of state and county taxes—elected for four years; in municipalities a collector is elected biennially.

(3) County board of supervisors, five in each county, elected every four years.

(4) Three railroad commissioners, elected for four years, who act as state railroad assessors.

(5) State revenue agent, elected for four years.

State Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

a. The property included and exempt.—All property, except that specially exempted by law, is subject to taxation.

(1) Personal property, as defined in the statutes, includes goods, chattels, effects, evidences of rights of action, and all written instruments by which any pecuniary obligation, or any right, title, or interest in any real or personal estate shall be created, acknowledged, transferred, incurred, defeated, discharged, or diminished.

(2) Property includes personal property as defined above, and also every estate, interest, and right in lands, tenements, and hereditaments.

(3) Exemptions, in addition to public property, are: Cemeteries; property of religious, charitable, or educational institutions; hospitals; wearing apparel of every person, not including jewelry or watches; provisions for family consumption; farm products in the hands of the producer; guns, one for each owner; poultry; household furniture up to $250; 2 cows and calves, 20 head each of sheep and goats, 10 head of hogs, and colts under 3 years old; farming implements; property of agricultural and mechanical associations and fairs; libraries of all persons and works of art; tools of mechanics; certain factories for five years; municipalities may grant a like exemption for 10 years or less; all state, county, and municipal, levee or school bonds, issued after April 1, 1906; all notes and evidences of indebtedness, and all money loaned at a rate of interest not exceeding 6 per cent.

Grain separators and harvesters, feed crushers and cutters, rice and flouring mills of 20 horsepower and under exempt for five years beginning in 1912.

b. Assessment.—There is one assessment for state, county, and municipal purposes. The taxpayer is required to furnish the assessor with a sworn list of the items and their value of all his taxable personal property as of February 1. Lands are assessed between February 1 and July 1 in every second year (1909–1911).

Property is valued at the price it would bring at a voluntary sale, but the valuation given by the owner may be, upon the report of the assessor, corrected by the board of supervisors, who also adjust the assessment rolls in case of error, change in value, or ownership.

[1] This compilation is derived mainly from the following sources:
Mississippi Code of 1906.
Session Laws to 1912.

Real estate is assessed in the county where located and personal property where located on February 1. Money on deposit or loaned at interest either within or without the state is assessed and taxed where the owner resides.

Railroads are taxed for state and local purposes upon the value of their general property, and an additional state tax in the nature of a privilege tax is levied. The assessment is made by the state railroad commissioners upon the basis of schedules furnished by the company, as well as those furnished by the county and municipal assessors, considering the value of the franchise and the capital stock engaged in business in the state. The valuation is apportioned to the counties and municipalities.

Shares of bank stock, state or national, are assessed to the shareholders upon a statement by the bank officers of the value of the shares augmented by accumulations, surplus, and unpaid dividends, and exclusive of the real estate of the bank. The taxes thereon are to be paid by the bank to the county collector at the state and county rate. Real estate of the bank is taxed as other real estate.

Telegraph, telephone, express, sleeping car, palace car, and dining car companies are to be assessed for ad valorem taxation in the same manner as railroads by the railroad commissioners.

Transient vendors and traders are required to make statements of the amount of sales, and ad valorem taxes are assessed thereon in addition to any privilege tax.

c. Equalization.—The board of supervisors of each county examines the assessment rolls and equalizes the assessment between individuals.

There is no state board of equalization.

2. *Rate*—

The state tax levies for 1912 and 1913 were fixed by the legislature at 6 mills on the dollar.

3. *Collection*—

Taxes for state and county are collected by the sheriff, who is ex officio collector for the county. It is the duty of every person assessed to pay taxes on or before December 15; all taxes delinquent at that date are to be collected immediately by distress and sale of any personal property liable therefor. After January 15 the tax collector may advertise the sale of land for taxes on the first Monday in April. Taxes are a lien from February 1 of the assessment year.

B. POLL TAXES.

A state poll tax of $2 is levied upon every male inhabitant over 21 and under 60 years of age who is not deaf, dumb, blind, or maimed. The amount so collected is a credit to the county or separate school district where collected in the apportionment of the state school fund. Failure to pay the poll tax prevents voting at any election, or registration as a voter.

C. THE INHERITANCE TAX.

There is no inheritance tax.

D. CORPORATION TAXES.

Corporations pay an ad valorem tax on their lands, which is assessed like that of individuals. Corporations are also assessed on their capital stock at the market value, an allowance being made for lands taxed, except in the case of banks and railroads. Certain corporations also pay license or privilege taxes.

Freight line companies, engaged in operating or furnishing and leasing cars for the transportation of freight, and equipment companies engaged in furnishing or leasing cars of any description (such cars not being otherwise listed for taxation) pay an annual tax of 3 per cent on their gross earnings in the state in lieu of all other taxes. The tax is assessed by the state auditor upon the gross earnings for the year ending December 31, and is collected by the state treasurer.

Life insurance companies are required to pay annually a tax of 2½ per cent upon the gross amount of their premium receipts in the state, less death claims, matured endowments, and cash dividends paid under policy contracts in the state during the year; and all other than life insurance companies pay a tax of 2½ per cent on gross receipts less return premiums, provided that domestic insurance companies are not required to pay a greater gross premium and privilege tax in the aggregate than is required of foreign companies.

Agents of insurance companies not authorized to transact business in the state pay to the insurance commissioner an amount equal to 3 per cent of the premiums of insurance written by them.

E. BUSINESS TAXES, LICENSES, AND FEES.

Privilege taxes, which are annual except where otherwise specified, are levied upon the following:

Barber shops, per chair, $2.50; billiard tables, etc.—municipalities under 2,500 inhabitants, $100; cities, 2,500 to 7,500, $200; cities 7,500 to 10,000, $300; cities, 10,000 to 20,000, $400; cities over 20,000 $500; over seven tables, $75 additional for each table; bottling works—towns under 2,000 inhabitants, $5; towns, 2,000 to 3,000, $10; towns over 3,000, $25; cigarette dealers, $5; circuses—cities over 3,500 inhabitants, $200; cities less than 3,500, seating capacity 2,000, $100; seating capacity less than 2,000, $50; fair or festival, $5; coal dealer—cities of over 5,000 inhabitants, $30; cities 1,000 to 5,000, $12.50; under 1,000, $5; hack lines, $25; transient horse traders selling stock not raised in state—each county, $25; at public auction, $50; fire insurance adjusters, $25 (no city, town, village, or county is to levy any further tax); exhibition of trained animals, per day, $25; auctioneers—not in towns, $5; towns, 1,000 to 3,000 inhabitants, $20; towns, 3,000 to 5,000, $25; towns over 5,000, $30; billposter, in cities or towns of 2,000 or more, $10; boats—wharf boats, $100; trading boats, $200; trading boats (provisions and provender), $50; brokers, towns less than 3,000 inhabitants, $25; towns, 3,000 to 5,000, $50; towns over 5,000, $75; building and loan associations—those in which stock represents monthly payments not exceeding $500, $25; $500 to $1,000, $50; $1,000 to $2,000, $100; $2,000 to $3,000, $150; over $3,000, $200; foreign associations, $250 (in lieu of all taxes except on real estate); bicycles, hiring—towns, 2,500 inhabitants, $10; towns less than 2,500, $5; cane racks, each county, $50; street car companies, per mile, $20; cleaning, pressing, and dyeing establishments, 15,000 inhabitants or over, $15; when done by steam or electric power, $25; cities of less than 15,000 and over 5,000, $10; by steam, $12.50; cities less than 5,000, $5; by steam, $7.50; commercial agencies, $100; canning factories, $10; round bale cotton press—1,000 bales, $15; 1,000 to 2,000, $20; more than 2,000, $30; cotton brokers, $25; cotton factors and buyers, $25; cotton compress company, $50; capacity 20,000 to 30,000 bales, $100; 30,000 to 50,000 bales, $150; over 50,000 bales, $200; cotton weigher—less than 2,000 bales per year, $10; 2,000 to 4,000, $15; 4,000 to 5,000, $20; 5,000 to 8,000, $25; 8,000 to 10,000, $30; over 10,000, $35; fruit and vegetable trading cars, $100, any firm operating 2 or more cars, $300; electric light companies in cities of less than 5,000 inhabitants, $25; 5,000 and less than 7,500, $50; 7,500 and less than 10,000, $75; 10,000 and less than 12,500, $100; 12,500 and less than 15,000, $125; 15,000 and less than 17,500, $150; 17,500 and less than 20,000, $200; 20,000 and less than 25,000, $300; 25,000 and over, $400; certain

employment agents, $500; shows, exhibitions, etc., per day, $5; express companies, $250 (also $4 per mile of first-class track over which business is operated; $2 per mile on all second and third class track); maintaining place for the delivery of liquors, $5,000; feather renovators, each county, $100; fertilizing companies, capital less than $10,000, $25; $10,000 to $20,000, $50; $20,000 to $30,000, $75; $30,000 to $50,000, $100; $50,000 to $75,000, $150; $75,000 to $100,000, $200; over $100,000, $250; ferries (other than steam)—income, $300 to $600, $5; income over $600, $10; steam ferries, $150; gypsies, $250 for each county; gins, $25; guarantee companies, $100 (no additional tax to be imposed by cities or towns); fortune tellers, in each county, $100; architects, $10; breweries—bottling, $150; brickyards making between 35,000 and 500,000 brick per annum, $5; 500,000 to 1,000,000, $10; over 1,000,000, $20; dealers in coffins—cities or towns of less than 1,000 inhabitants, $10; 1,000 to 2,000, $25; 2,000 to 3,000, $50; 3,000 to 5,000, $75; if dealer is an embalmer, $10 additional; if dealer is an undertaker, $100 in all cities; contractors—cities of over 10,000 inhabitants, where the number of men employed is 10 or more, $50; 3 to 10 men employed, $30; cities of 5,000 to 10,000, where the number of men employed is 10 or more, $20; 3 to 10, $10; cities of between 2,000 and 5,000 where the number of men employed is 10 or more, $15; 3 to 10, $10; towns of less than 2,000, $7.50; confectionery store, $5; cottonseed buyers, $10; embalmers, $10; engineers (civil or electrical), $5; foundries and machine shops, in cities of over 10,000 inhabitants, $50; 5,000 to 10,000, $25; gas companies—cities of less than 2,000 inhabitants, $30; 2,000 and less than 5,000, $50; 5,000 and less than 10,000, $100; 10,000 and less than 15,000, $150; 15,000 and less than 20,000, $200; 20,000 and less than 25,000, $250; 25,000 and over, $300; hotels—capacity of 100 guests, in cities of over 5,000 inhabitants, $150; capacity, 50 to 100, in cities of over 5,000, $100; capacity 25 to 50, in cities of over 5,000, $75; capacity less than 25, in cities of over 5,000, $40; capacity of 25 in cities of 2,000 to 5,000, $40; less capacity, $20 in cities of 2,000 to 5,000; towns of less than 2,000 and in all other than incorporated towns, $10; unincorporated districts, capacity 25 to 75, $25; over 75, $50; ice factories—capacity 5 tons per day, $25; capacity 10 tons per day, $35; capacity 10 to 15 tons per day, $50; capacity 15 to 25 tons per day, $75; capacity over 25 tons per day, $100; incorporated insurance agencies, cities of over 3,000, $100; less than 3,000, $50; fire insurance agents, cities of over 2,000, $30; others, $15; life insurance agents, in each county, $10, in whole state, $30; industrial insurance agents, $3; agent for insurance other than life or industrial, $10; junk dealers, cities over 10,000, $50; 5,000 to 10,000, $25; others, $15; laundries, with weekly receipts over $10, cities of 8,000, tax is $25; less than 5,000, $15; agents of foreign companies, $5; lawyers, $10; insurance companies, $100; fraternal orders, $25; lightning rod agent, each county, $200; livery stables—towns under 500 inhabitants, $5; 500 to 2,000, $10; 2,000 to 3,000, $20; 3,000 to 5,000, $30; 5,000 to 10,000, $40; over 10,000, $60; each other stable in which animals are stabled for a fee, other than livery, feed, and sale stable, $10; lumberyards, sales 500,000 feet or more, $100; 250,000 to 500,000, $50; 100,000 to 250,000 feet, $20; lumber dealers or brokers, sales over 20,000,000 feet, $150; 10,000,000 to 20,000,000, $100; 5,000,000 to 10,000,000, $50; 5,000,000 or less, $25; lumber buyer, $25; lunch house stands—railroad, $15; others, $5; meat markets—cities of 10,000 or more inhabitants, $25; 5,000 to 10,000, $15; 3,000 to 5,000, $10; less than 3,000, $5; merry-go-rounds, etc., cities, $25; towns, $10; oleomargarine dealers, $5; oil depots, $50; hacks and omnibuses—cities 2,000 inhabitants or more, each hack, $5; less than 2,000, $2.50; drays, $2.50; optician, $10; oyster fishermen, each vessel of one ton gross burden or under, $1; 1 to 5 tons, $2.50; 5 to 10 tons, $5; 10 to 20 tons, $10; over 20 tons, $15; oyster dealers, cities of 5,000 inhabitants or more, $5; meat packing houses, each county, $200; patent medicine vendors, $150; transient vendors in each county, $100; pawnbrokers, $250 ($250 additional if dirks, knives, sword canes, or knucks are received or sold); peddlers, on foot, in each county, $30; one horse, in each county, $40; one horse and wagon, in each county, $50; two horses and wagon, in each county, $80; peddlers of tinware or pottery, in each county, $20; transient vendors of merchandise, in each county, $100; photograph galleries, $5; in cities over 2,000 inhabitants, $10; in railroad car, for state, $50; for one county, $10; traveling photographers, state, $20; one county $10; pistol cartridge dealers, $50; piano and organ agents, $20; planing mills—capacity of 5,000 to 25,000 feet per day, $5; 25,000 to 50,000 feet, $25; 50,000 to 75,000 feet, $37.50; 75,000 to 100,000, $50; over 100,000, $62.50; plumbers, cities of over 10,000 inhabitants, where they have waterworks, $50; 5,000 to 10,000, $25; others, $10; railroad eating houses—trunk lines, $125; when one train only, $50; other lines with two trains, $30; other lines with one train, $15; peddlers, selling illuminating oil, each one-horse wagon, $15; two-horse wagons, $25; selling cottonseed or cooking oil, each one-horse wagon, $10; two-horse wagon, $15; restaurants—cities over 5,000 inhabitants, $30; cities 1,000 to 5,000, $20; others, $5; real estate agents, cities of 10,000 or over, $25; 5,000 to 10,000, $15; under 5,000, $5; scalpers, $25; sewing machine agency, $100; agent, $10; each company, in lieu of agency tax, $300; shooting galleries, cities 4,000 or more, $20; cities 2,000 to 4,000, $15; cities 1,000 to 2,000, $10; towns less than 1,000, $5; sawmills, capacity 5,000 to 7,500 feet per day, $10; 7,500 to 15,000, $25; 15,000 to 25,000 feet, $50; 25,000 to 50,000, $100; 50,000 to 75,000, $150; 75,000 to 100,000 feet, $200; over 100,000, $250; shingle mills—capacity 5,000 to 10,000 shingles per day, $2.50; 10,000 to 20,000 shingles, $5; 20,000 to 30,000 shingles, $10; 30,000 to 40,000 shingles, $15; 40,000 to 50,000, $20; 50,000 to 75,000, $25; over 75,000, $50; stave and spoke factory, $25; street fairs, per week, $10; shows in general, per day, $25; side shows, per day, $20; traveling gallery, for each county, $10; skating rink or bicycle rink—cities of over 10,000, $50; 3,000 to 10,000, $30; 1,000 to 3,000, $15; under 1,000, $7.50; sleeping car and palace car companies, $2.50 per mile of first-class railroad; and $1.50 per mile of second and third class railroad over which the company runs its cars; soda fountain—towns of over 2,000 inhabitants, $10; towns 300 to 2,000, $5; soda water in bottles, $2.50; stallions, jacks, $10; stores, stock under $300, $2.50; stock $300 to $1,000, $5; stock $1,000 to $2,000, $10; stock $2,000 to $3,500, $15; stock $3,500 to $5,000, $20; stock $5,000 to $7,500, $25; stock $7,500 to $10,000, $30; stock $10,000 to $12,000 $35; stock $12,000 to $15,000, $40; stock $15,000 to $20,000, $50; stock $20,000 to $25,000, $60; stock $25,000 to $35,000, $90; stock $35,000 to $50,000, $120; stock $50,000 to $75,000, $200; stock $75,000 to $100,000, $250; stock $100,000 to $125,000, $300; stock over $125,000, $350; second hand clothing, $500; telegraph companies operating 1,000 miles of line or more, $250; telegraph companies, per mile of line less than 1,000 miles, 25 cents; telephone exchanges, 50 subscribers or less, $2.50; 50 to 100 subscribers, $7.50; 100 to 125 subscribers, $12.50; 125 to 175 subscribers, $25; 175 to 225 subscribers, $37.50; 225 to 300 subscribers, $50; 300 to 500 subscribers, $75; 500 or more, $100; long-distance companies, 1,000 miles or more, $250; 500 to 1,000 miles, per mile, 25 cents; 250 to 500 miles, per mile, 15 cents; 100 to 250 miles, per mile, 10 cents; less than 100 miles, per mile, 5 cents; theaters—cities of over 4,000, with seating capacity of over 750 persons, $100; with seating capacity of less than 750 persons, $50; cities of 2,000 to 4,000, $35; cities of 1,000 to 2,000, $25; other such halls, $5, dance halls, $10; trading cars—traveling 250 miles, $250; 150 to 250 miles, $150; less than 150 miles, $100; vendors of spectacles, each county, $10; for entire state, $50; transient vendors of bed springs, if maker, $15; each employee, $5; if not maker, each county, $5; territorial agency for bed springs, or washing machine, $25; vendors of jewelry, transient, per county, $50; vendors of stoves, clocks, and vehicles, per county, $200; transient dealers in merchandise who take security therefor on any other property of any kind additional to the property sold, per county, $500; turpentine distilleries—daily capacity 10 barrels or less, $25; 10 to 30 barrels, $50; over 30 barrels, $100; veterinary surgeon, $10; waterworks—cities of 10,000 inhabitants or more, $250; 3,000 to 10,000, $100; 1,000 to 3,000, $50; less than 1,000, $20; artesian wells, $10; dealers in deadly weapons, $100; air guns and target rifles, $25; warehouses—villages of 300 inhabitants or less, $2.50;

villages of 300 to 500, $5; villages of 500 to 1,000, $10; 1,000 to 2,000, $15; over 2,000, $20; woodyards—cities of 8,000 inhabitants, $20; 5,000 to 8,000, $10; under 5,000, $5; mineral water bottlers, $20; state agency sale of mineral waters, $20; transient vendors of mineral waters, $10; cigar stands, $10; dealers in cash registers, typewriters, adding machines and credit registers, $10; dealers in oriental wares and novelties, in each county, $100; marble dealers, $15; security dealers or loan agents, $25; near beer joints, $500; cottonseed-oil mills, capacity under 20 tons per day, $85; between 20 and 80 tons, $175; between 80 and 100 tons, $250; between 100 and 140 tons, $350; between 140 and 175 tons, $750; between 175 and 200 tons, $1,000; over 200 tons, $1,250; mail order business, $10; railroads (mileage within levee district on which levee taxes are paid, excepted) first class, per mile, $45; second class, $25; third class, $10; narrow gauge, $2.50; levee district, first class, $20; second class, $15; third class, $7.50; narrow gauge, $2.50; bowling alleys, municipalities under 2,000, $30; cities 2,000 to 5,000, $50; cities 5,000 to 10,000, $75; cities, 10,000 and over, $100; moving picture show, seating capacity less than 750, $50; 750 to 1,000, $75; 1,000 or over, $100, where such attraction is located in a city or town under 1,000, $15; 1,000 to 2,500, $25; all transfers of realty other than by deeds of trust or mortgages, $1 per $1,000 of the consideration; coca-cola, etc., bottlers, daily capacity less than 100 dozen bottles, $50; 100 to 200 dozen bottles, $100; 200 to 400 dozen, $150; over 400 dozen, $400; wholesale dealers in these drinks, $50; retail in towns over 1,000, $12.50; towns 300 to 1,000, $7.50; under 300, $5; motor vehicles, under 25 horsepower, $5; 25 to 40 horsepower, $15; 40 to 50 horsepower, $20; over 50 horsepower, $25; trading stamps, $250; extracting turpentine, one-fourth of 1 per cent for each cup or box; creosoting plants, one-fortieth of 1 mill on each foot of timber treated; timber lands, company or person holding over 1,000 acres, 20 cents per acre; wholesale packers, $250; each agent, $10; automobile garage, or dealers, cities over 5,000, $50; less than 5,000, $25; each automobile for hire in cities over 2,000, $10; elsewhere, $5; motor boat for hire, $5; newsdealers on trains, $50, and 20 cents additional per mile of track over which business is conducted; ice cars retailing ice, $25; selling cannon crackers over 6 inches, $25; nonresident hunters, $10 to state, $10 to county.

Confederate soldiers, or their wives or widows, deaf and dumb, or maimed persons are exempted from paying privilege taxes on certain occupations or trades, provided they are residents of the state and their property does not exceed $1,000 in value.

Insurance, telegraph, express, sleeping car companies, building and loan associations, and commercial agencies are required to pay for their privileges to the auditor of public accounts under penalty of double the tax. Other privileges are paid to the county collector. The license is a personal privilege and does not exempt from taxation the property used in the business.

Secretary of state.—Issuing commissions to notaries, $5; charters of corporations not for profit, $3; charter fee on corporations for profit—capital stock $10,000, $20; $10,000 to $30,000, $40; $30,000 to $50,000 $60; $50,000 and over, one-tenth of 1 per cent (no fee is to exceed $250). Amendments to charters, $5; foreign corporations, charter, $15; filing articles of consolidation, $25; for certified copy of a charter, $10; for filing other articles of agreement between corporations, $20.

Insurance commissioner.—From insurance companies, certificates of authority to general or district agent or manager, $3; to local agent, $2; filing preliminary statement, $20; annual statement, $10; copy of annual statement with certificate, $5; filing any other paper, $1; certificate of examination, $2, seal, $1; service of process on commissioner as attorney, $2; examination of domestic company, $25; foreign company, $25 per diem.

For filing charter of fraternal insurance company, $25; annual statement, $10.

Mutual fire insurance companies.—For filing preliminary statement, $10; annual statement, $10; privilege liscense, $25; district agent, $3; local agent, $2. These licenses are in lieu of all other taxes except the ad valorem tax on real estate. Permit to sell shares of stock of any insurance company, $200; agents offering stock for sale, $10; persons insured by unauthorized companies against fire, lightning or tornado, pay 3 per cent on premiums paid on policy, and a fee of $1 for filing statement.

Commissioner of agriculture.—For guaranteed analysis of commercial fertilizer, $5; for tags, 20 cents per ton; commercial feeds, inspection tax, 20 cents per ton.

F. THE INCOME TAX.

A tax of 5 mills on the dollar for the general revenue fund of the state is levied on all annual incomes which exceed $2,500. The word "income" as used in the act, is deemed and taken to mean "gross profits," provided that no reduction is allowed for any amounts paid out for permanent improvements made to increase the value of any property or estate, or for the increase of capital, or capital stock. Where the income is derived from property on which an ad valorem tax is paid the amount of the ad valorem tax is deducted from the income.

The assessors obtain from persons liable to the tax a sworn statement of their income, which is forwarded to the state auditor, who computes the tax, and furnishes the county collectors with the list. The time and method of collection are the same as for other state taxes.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the assessment and equalization thereof are the same for county taxes as for state.

2. *Rate*—

Boards of supervisors may levy taxes for all purposes, which, exclusive of road and county school taxes, added to the state tax will make 16 mills on the dollar.

By vote of a majority of the electors of any supervisor's district the county board may issue bonds to an amount up to 10 per cent of the assessed valuation of property in the district to provide funds for road construction and maintenance within that district. To repay in instalments such bond issue a special tax may be levied against the property in such district only.

The board of supervisors of the county may levy a special tax, not exceeding 50 cents per acre in any one year, on overflowed lands for each swamp-land district.

3. *Collection*—

Same as for state.

B. POLL TAXES.

All male persons between the ages of 18 and 50 years, except ministers, students, teachers, members of the national guard, seafaring men, and those disabled, are liable to 8 days' road service. This does not apply to persons living in cities where commutation taxes are imposed under municipal authority. The road duty may be commuted by payment of $3. The money thus collected is expended in the district under the direction of a road commissioner. Counties adopting commutation payment may elect a special collector of road commutation taxes. County boards of supervisors may also levy an additional poll tax of not exceeding $1 on each male inhabitant liable to pay state poll tax, to be used in the maintenance of schools. The state poll tax of $2 is apportioned by the county to school districts in which collected.

D. CORPORATION TAXES.

There are no county corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

Privileges are not subject to taxation by the county. The county collects a tax of $1 on male dogs, and $3 on female dogs, which goes into the schoolhouse improvement fund.

F. THE INCOME TAX.

There is no county income tax.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the assessment and equalization thereof are the same for municipal taxation as for state. The assessment of personal property and polls is entered separately on the rolls for each city, town, or village, or for each election district of the county. Municipalities may exempt certain manufactories from taxation for a term not exceeding 10 years.

2. *Rate*—

The levy of municipal taxes is made by the mayor and board of aldermen. The limit for general revenue and improvements is 12 mills on the dollar; in villages of 300 inhabitants this limit is 4 mills. The limitations on the tax rate of municipalities do not apply to cities which adopt the commission form of government authorized by statute of 1912.

By a majority vote of the qualified electors, cities of over 5,000 inhabitants may levy a tax not to exceed 20 mills on the dollar for general revenue and improvements and a like rate for a special school system.

Municipalities may contract with counties to jointly maintain roads leading into such municipalities. The city, town, or village may for its share of such expense levy an additional tax not to exceed 3 mills.

3. *Collection*—

The collection is made by the municipal collector during the time and in the same manner that state and county taxes are collected.

B. POLL TAXES.

Each municipality constitutes a separate road district, and the mayor and board of aldermen are authorized to compel all able-bodied males between the ages of 18 and 55 to annually work six days on streets or in lieu thereof pay $3.

D. CORPORATION TAXES.

There are no corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

Privileges are subject to taxation by municipalities of over 600 inhabitants to an amount not exceeding 50 per cent of the state tax, but telegraph, express, and sleeping car companies, building and loan associations, and commercial agencies on which the tax is paid directly to the state are not taxable by municipal authority.

F. THE INCOME TAX.

Municipalities do not share in the income tax.

School Revenues.

The state school funds are distributed by the auditor of public accounts to the counties and separate school districts.

The sixteenth section fund is managed by the county boards of supervisors for the respective townships. The revenue of this fund is paid for schools within the township for limited purposes.

The board of supervisors of the county may levy for school purposes a general tax on all the property in the county which is outside the limits of any separate school district. Every municipality, which is a separate school district, may levy like taxes for the maintenance of schools.

For separate school districts having no municipal organization the county board of supervisors, on petition, levies a special tax, which, once fixed, is levied thereafter annually. Collection is made by the county tax collector, deposited with the county treasurer, and disbursed on order of the school district trustees.

The state poll tax of $2 is collected by the counties and distributed to the school districts in which collected. The county may levy an additional poll tax of $1 for school purposes.

The returns from the dog tax are credited to the schoolhouse improvement fund and are distributed in the districts where collected.

School districts may by petition of a majority of the resident taxpayers levy a special tax sufficient to provide fuel and other incidental expense of the school in said district.

For county agricultural high schools a special tax of not more than 2 mills may be levied annually. The state board of education may order paid from state funds $1,000 each to counties maintaining agricultural high schools.

MISSOURI.[1]

Missouri draws its revenue largely from the general property tax for state, county, and municipal purposes. This is supplemented by an extensive system of business taxes and licenses and a collateral inheritance tax. There are no special corporation taxes except a tax on the premiums of foreign insurance companies. There are, however, a number of important fees levied on insurance companies, and for incorporation. The poll tax is left to the counties and municipalities.

CONSTITUTIONAL PROVISIONS.

ARTICLE X.

SEC. 1. The taxing power may be exercised by the general assembly for state purposes, and by counties and other municipal corporations, under authority granted to them by the general assembly, for county and other corporate purposes.

SEC. 2. The power to tax corporations and corporate property shall not be surrendered or suspended by act of the general assembly.

SEC. 3. Taxes may be levied and collected for public purposes only. They shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax, and all taxes shall be levied and collected by general laws.

SEC. 4. All property subject to taxation shall be taxed in proportion to its value.

SEC. 5. All railroad corporations in this state, or doing business therein, shall be subject to taxation for state, county, school, municipal, and other purposes, on the real and personal property owned or used by them, and on their gross earnings, their net earnings, their franchises, and their capital stock.

SEC. 6. The property, real and personal, of the state, counties, and other municipal corporations, and cemeteries, shall be exempt from taxation. Lots in incorporated cities or towns, or within one mile of the limits of any such city or town, to the extent of one acre, and lots one mile or more distant from such cities or towns, to the extent of five acres, with the buildings thereon, may be exempted from taxation when the same are used exclusively for religious worship, for schools, or for purposes purely charitable; also such property, real and personal, as may be used exclusively for agricultural or horticultural societies: *Provided*, That such exemptions shall be only by general law.

SEC. 7. All laws exempting property from taxation, other than the property above enumerated, shall be void.

SEC. 8. The state tax on property, exclusive of the tax necessary to pay the bonded debt of the state, shall not exceed 20 cents on the $100 valuation; and whenever the taxable property of the state shall amount to $900,000,000 the rate shall not exceed 15 cents.

SEC. 9. No county, city, town, or other municipal corporation, nor the inhabitants thereof, nor the property therein, shall be released or discharged from their or its proportionate share of taxes to be levied for state purposes, nor shall commutation for such taxes be authorized in any form whatsoever.

SEC. 10. The general assembly shall not impose taxes upon counties, cities, towns, or other municipal corporations or upon the inhabitants or property thereof, for county, city, town, or other municipal purposes, but may, by general laws, vest in the corporate authorities thereof the power to assess and collect taxes for such purposes.

SEC. 11. Taxes for county, city, town, and school purposes may be levied on all subjects and objects of taxation; but the valuation therefor shall not exceed the valuation of the same property in such town, city, or school district for state and county purposes. For county purposes the annual rate on property, in counties having $6,000,000 or less, shall not, in the aggregate, exceed 50 cents on the $100 valuation; in counties having $6,000,000 and under $10,000,000 said rate shall not exceed 40 cents on the $100 valuation; in counties having $10,000,000 and under $30,000,000, said rate shall not exceed 50 cents on the $100 valuation; and in counties having $30,000,000 or more, said rate shall not exceed 35 cents on the $100 valuation. For city and town purposes the annual rate on property in cities and towns having 30,000 inhabitants or more shall not, in the aggregate, exceed 100 cents on the $100 valuation; in cities and towns having less than 30,000 and over 10,000 inhabitants, said rate shall not exceed 60 cents on the $100 valuation; in cities and towns having less than 10,000 and more than 1,000 inhabitants, said rate shall not exceed 50 cents on the $100 valuation; and in towns having 1,000 inhabitants or less, said rate shall not exceed 25 cents on the $100 valuation. For school purposes in districts composed of cities which have 100,000 inhabitants or more, the annual rate on property shall not exceed 60 cents on the $100 valuation and in other districts 40 cents on the $100 valuation: *Provided*, The aforesaid annual rates for school purposes may be increased, in districts formed of cities and towns, to an amount not to exceed $1 on the $100 valuation, and in other districts to an amount not to exceed 65 cents on the $100 valuation, on the condition that a majority of the voters who are taxpayers, voting at an election held to decide the question, vote for said increase. For the purpose of erecting public buildings in counties, cities, or school districts, the rates of taxation herein limited may be increased when the rate of such increase and the purpose for which it is intended shall have been submitted to a vote of the people, and two-thirds of the qualified voters of such county, city, or school district, voting at such election, shall vote therefor. The rate herein allowed to each county shall be ascertained by the amount of taxable property therein, according to the last assessment for state and county purposes, and the rate allowed to each city or town by the number of inhabitants, according to the last census taken under the authority of the state, or of the United States; said restrictions as to rates shall apply to taxes of every kind and description, whether general or special, except taxes to pay valid indebtedness now existing, or bonds which may be issued in renewal of such indebtedness: *Provided*, That the city of St. Louis may levy for municipal purposes, in addition to the municipal rate of taxation above provided, a rate not exceeding the rate which would be allowed for county purposes if said city were part of a county.

SEC. 14. (Provision for payment of accruing interest on bonded debt of the state, and to reduce the state debt, $250,000 per year.)

SEC. 18. There shall be a state board of equalization, consisting of the governor, state auditor, state treasurer, secretary of state, and attorney general. The duty of said board shall be to adjust and equalize the valuation of real and personal property among the several counties in the state, and it shall perform such other duties as are or may be prescribed by law.

SEC. 21. No corporation, company, or association, other than those formed for benevolent, religious, scientific, or educational purposes, shall be created or organized under the laws of this state, unless the persons named as corporators shall, at or before the filing of the articles of association or incorporation, pay into the state treasury $50 for the [first] $50,000 or less of capital stock and a further sum of $5 for every additional $10,000 of its capital stock, and no such corporation, company, or association shall increase its capital stock without first paying into the treasury $5 for every $10,000 of increase: *Provided*, That nothing contained in this section shall be construed to prohibit the general assembly from levying a further tax on the franchises of such corporation.

SEC. 22. In addition to the taxes authorized to be levied for county purposes under and by virtue of section 2, Article X of the constitution of this state, the county courts in the several counties of this state, not under township organization and the township board of directors, in the several counties under township organization, may in their discretion levy and collect in the same manner as state and county taxes are collected, a special tax not exceeding 25 cents on each $100 valuation, to be used for road and bridge purposes, but for no other purpose whatever; and the power hereby given said county courts and township boards is declared to be a discretionary power.

[1] This compilation is derived mainly from the following sources: Revised Statutes of 1909 and Session Laws 1911 and 1913.

OFFICERS.

The officers most directly concerned with taxation are:

In counties having township organization:

(1) Township assessor; township clerk, elected biennially, is ex officio assessor.

(2) Township collector, elected biennially.

In cities:

(3) City assessor in cities of the first class, appointed by the mayor. City assessor may appoint one or more competent deputies. The city board of appeals consists of the mayor, comptroller, and the president of the common council.

(4) City treasurer in cities of the first class, elected for two years, who acts ex officio as city collector.

(5) City assessor in cities of the second class, appointed by the mayor for two years.

(6) City treasurer in cities of the second class, who acts ex officio as collector.

(7) Assessors in cities of the third and fourth classes, elected for two years.

(8) Collectors in cities of the third and fourth classes, elected for two years.

In the counties generally:

(9) County assessor, elected for a term of four years. No person is to hold the office two successive terms.

(10) Collector of the revenue, elected for four years.

(11) County board of equalization, composed of the county clerk, county surveyor, the judges of the county court, and the county assessor. In counties having township organization the sheriff is a member.

(12) State board of equalization, consisting of the governor, state auditor, treasurer, secretary of state, and attorney general.

(Note.)—"County" includes St. Louis. All services required of county officers are to be performed by the corresponding officers of the city of St. Louis.

(13) License collector, in cities having 300,000 inhabitants or more (St. Louis only) elected every four years, collects all license taxes required by law or ordinance, excepting the dramshop and wharfage licenses, the tax on telegraph and telephone poles, the dog tax, the merchant ad valorem tax, the vehicle license tax, and the special tax on foreign insurance companies.

(14) In St. Louis the duties of the county board of equalization relating to taxation of merchants are vested in a board of manufacturers' and merchants' tax equalization composed of three real estate owners, resident for 10 years in said city, appointed by the mayor.

Assessors are compensated by commissions based on the number of lists—25 cents per list for taking the first 3,000, and 20 cents for each list in addition thereto, and a fee of 3 cents per entry for making personal assessment book.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base*—

a. The property included and exempt.—All property, real and personal, is subject to taxation except as specially exempted.

(1) Real property includes not only the land itself, but also the buildings, structures, and improvements and other permanent fixtures thereon, all mills, factories, and machinery connected therewith, and all rights and privileges appertaining thereto.

(2) Personal property includes bonds, stocks, moneys, credits, capital stock, and every tangible thing subject to ownership not part or parcel of real property.

(3) For the purpose of state, county, and municipal taxes, merchandise held by merchants, and the raw material, merchandise, finished products, tools, machinery, and appliances used or kept on hand by manufacturers, constitute a class separate and distinct.

(4) Exemptions, in addition to public property, are: Property used for religious purposes, including churches and parsonages; schools and institutions of charity; property of agricultural and horticultural societies. (See Constitution, Art. X, sec. 6.) There is also certain property exempted by legislative contract prior to the adoption of the present constitution.

b. Assessment.—In general, there is one assessment roll made up by the assessors of the counties, towns, and districts, but certain property is assessed by the state board of equalization. Every person is required to make a statement under oath of all his real and personal property, with the value thereof as of the 1st of June in each year. Penalty for refusing to take the oath is a fine of $10 to $1,000. The assessor is to assess all property at its true value in money or the cash price at the time of listing, but if a person fails to make his statement, the assessor is to list the property at double its value, or at treble the value in case of a fraudulent list.

Mortgages on real estate are assessed as personal property, and the mortgagee is required to give them in for taxation, while the land is also taxed on its assessed value without deducting the value of the mortgage.

Shares of stock in banks and insurance companies are assessed at their true value in money, less the value of the real estate represented by them, together with all reserved funds, undivided profits, premiums, and earnings. Insurance companies doing business on the mutual plan without capital stock are to make return of the net value of all assets. The taxes assessed on the shares of stock or net assets are to be paid by the corporation and may be recovered by it from the shareholders. Shares of stock in manufacturing companies are not subject to taxation against the owners. Taxes on shares of stock in an insurance company and building and loan association are payable by the owners thereof, and not by the corporation or association.

Railroad property used in operation and franchises are assessed by the state board of equalization, including such proportion of the total value of the rolling stock as the number of miles in the state bears to the total length of the road. The unit rule thus applies to rolling stock only. The county courts of the several counties examine the statements made by the railroads and make corrections before submission to the state board.

Car companies of all kinds are assessed by the state board on the average value of cars in use in the state.

The entire property, real and personal, including franchises, of street car companies is assessed by the state board on the basis of returns to the state auditor in the manner that railroad property is assessed. The state board of equalization apportions its assessment to each county, municipal township, city, or incorporated town in which the road is located, according to mileage.

"Local" property of railroad companies, including lands, machine and work shops, roundhouses, warehouses, and other buildings is assessed by the assessors of the several counties, cities, towns, and villages.

Telegraph, telephone, toll and interstate bridges, and express companies are assessed by the state board of equalization on their

property, real and personal, including franchises, in the same manner as railroad property. Penalty for failure to render the required statement is forfeiture of $100 for county public school fund in each county in which such bridge, express, telegraph, or telephone company has used its franchises.

The franchises (other than the right to be a corporation) of all conduit, water, electric light, and gas companies, and of all similar quasi public corporations possessing special and peculiar privileges and authorized by law to perform public service, are assessed locally as other property of such corporations is assessed.

c. Equalization.—Cities of the first class have their own boards of appeal, which equalize the city assessment.

The county board of equalization equalizes the valuation on all real and personal property in the county to make it conform to its true value.

The state board of equalization adjusts and equalizes the valuation of real and personal property among the several counties in the state. It has power to equalize the assessment of each class of property, real and personal, separately.

2. *Rate*—

The state tax on property, exclusive of the tax necessary to pay the bonded debt of the state, is fixed by the constitution and is not to exceed 20 cents on the $100 valuation; and whenever the taxable property of the state amounts to $900,000,000 the rate is not to exceed 15 cents. For the payment of state indebtedness the rate is 2 cents on the $100.

The qualified electors of the state at a special election in August, 1911, voted to levy an annual tax of 2 cents on each $100 valuation to provide for accruing interest on bonds and the creation of a sinking fund for the purpose of erecting a new state capitol.

3. *Collection*—

Taxes are collected by the collector of revenue for the county. He gives notice when the taxpayers are to meet him and pay their taxes. After October 1 the collector may seize and sell goods and chattels as under execution, and after January 1, 1 per cent a month is added. Taxes are a lien on real property on which they are assessed, and after January 1 the state's liens for taxes may be enforced by suit and sale.

Railroad taxes due the state, county, cities, towns, villages, and school districts are due September 1 and payable to the county collector. These taxes are delinquent after January 1 and collection is enforced by suit.

The collector is compensated by commissions on the amount collected.

B. POLL TAXES.

There is no state poll tax. (See County Revenues.)

C. THE INHERITANCE TAX.

All property passing by will or by the intestate laws of the state, or transferred in contemplation of death, other than to the father, mother, husband, wife, adopted child, or direct lineal descendant, is subject to a tax of $5 on each $100 of clear market value. Property conveyed for educational, charitable, or religious purposes exclusively is exempt. The proceeds of this tax go to the state university.

This tax becomes due and payable at the death of the decedent. If paid within 6 months a discount of 5 per cent is allowed; if not paid at the expiration of 1 year interest as provided for delinquent taxes is charged from date of accrual until paid.

D. CORPORATION TAXES.

Corporations are in general taxed on their property as individuals.

Express companies pay a state tax of 1½ per cent of their gross receipts within the state.

Domestic insurance companies are taxed on their property and paid-up capital stock. Foreign insurance companies are assessed on premiums received in the state at the rate of 2 per cent per annum in lieu of all other taxes except that fire insurance companies are credited with canceled or returned premiums actually paid during the year, and with premiums on reinsurance with companies licensed in the state. One-half of this tax goes to the county foreign insurance tax fund for schools, and is apportioned to the counties according to the number of school children. St. Louis is accounted a county in the apportionment.

E. BUSINESS TAXES, LICENSES, AND FEES.

The taxes on merchants and on manufacturers are in form license taxes, but are in fact property taxes. Both state and counties include them in their reports of general property taxes.

Merchants.—No person may deal as a merchant without a license. The tax is an ad valorem tax equal to that levied on real estate and based on the highest amount of all goods, wares, and merchandise merchants may have in their possession between the first Monday in March and the first Monday in June, a statement of which every merchant is required to make to the county assessor. Commission merchants are not required to pay on unmanufactured articles merely consigned for sale. The license authorizes the merchant to deal at only one place within the county.

Manufacturers.—All manufacturers are to be licensed and taxed on all raw material and finished products, as well as on all the tools, machinery, and appliances used by them, in the same manner as merchants. They are to make their statement of the greatest aggregate amount of raw material and finished products on hand between the first Monday in March and the first Monday in June. Beer manufacturers in the state are subject to state inspection, and for their services the inspectors receive a fee of ½ cent a gallon for inspecting and gauging, and 1 cent for labeling each package. Twenty-four quart and 48 pint bottles are considered as constituting a package, in the meaning of the law. Packages containing over 8 gallons are construed as constituting one package for every 8 gallons and fractions thereof.

Taxidermy.—Permit, annual, $1.

Dealers in futures.—The sale of stocks, bonds, and commodities for future delivery requires a written memorandum on which shall be placed a state stamp of the value of 25 cents.

Auctioneers.—License for 10 days, $10; for one month, $25; for three months, $50; for six months, $75, and in addition a collector's fee of 50 cents for each license. There is also a tax of 1½ per cent on the proceeds of all sales of personal property except corporation stocks. The county courts may graduate the license tax to be imposed on each license, provided that the tax to the state for six months is not to be less than $10 nor more than $100 and the county tax to be not less than that of the state.

Brokers.—Brokers are taxed for six months, according to the amount of business expected to be done, or the amount of capital to be employed: $5,000 or less, $50; $5,000 to $10,000, $75; $10,000 to $15,000, $100; $15,000 to $20,000, $125; $20,000 to $30,000, $175; $30,000 to $50,000, $250; $50,000 to $75,000, $300; $75,000 to $100,000, $350; $100,000 to $150,000, $400; $150,000 to $200,000, $450; $200,000 to $300,000, $500; $300,000 to $500,000, $600; $500,000 and over, $1,000.

Billiard tables.—$20 each; other gaming tables, $10 for each.

Ferries.—Amount to be fixed by the county court, $2 to $5,000.

Hunter's license.—resident, limited to one county, $1; state wide, $5; nonresident, $25.

Insurance brokers.—Certificate, $10; industrial and prudential companies, not to exceed 50 cents.

Peddlers for each period of six months, on foot, $3; one or more horses, $10; cart or other land carriage, $20; boat, first license, for any period not less than five days, per day, $1; afterwards, per day, 50 cents.

Itinerant vendors, $25 a year.

Liquors.—Dramshop keepers, who may sell liquors at retail in quantities not exceeding 10 gallons, are taxed for state, county, and municipal purposes on the value of liquors received at the shop, an ad valorem tax of the same amount as that paid by merchants on merchandise; also license tax, for state purposes, $100 to $200 for state, $250 to $400 for county, every six months. Other than dramshop keepers pay the following taxes for state purposes: Sale of 5,000 gallons or less in one year, $100; 5,000 to 10,000 gallons, $150, and $1 for each 1,000 gallons more than 10,000 gallons or fraction of 1,000 gallons more than 500; such tax not to exceed in any case the aggregate sum of $1,000. Sale of malt or fermented liquors at wholesale, except at place where produced, $100; for manufacture of malt or fermented intoxicating liquors, $250 for first 50,000 barrels or less, and $1 for each additional 1,000 barrels or fraction of 1,000 more than 500 (not to exceed in any case, $1,000); for compounding, blending, or otherwise rectifying of spirituous intoxicating liquors, $250, and $5 for each 1,000 gallons or fraction thereof more than 500 gallons of the total product of the applicant for one year in excess of 50,000 gallons (maximum, $1,000); manufacture of spirituous intoxicating liquors, $250, but if annual product exceeds 100,000 gallons, $500.

Building and loan associations.—Foreign building and loan: Fees for filing application for admission, $100; certificate of authority and annual renewal, $50; filing semiannual statement of assets, $50,000 or less, $3; $50,000 to $100,000, $5; more than $100,000 and less than $250,000, $10; more than $250,000 and less than $500,000, $20; more than $500,000 and less than $1,000,000, $30; if more than $1,000,000, $50; for each copy of paper filed, 25 cents per folio; for affixing seal and certification, $1.

Secretary of state.—Corporations (except benevolent, religious, scientific, fraternal, beneficial, or educational), fees for filing articles on first $50,000 or less of capital stock, $50; on every additional $10,000, $5; increase of capital stock per $10,000, $5; foreign corporations, license fee, $10; upon the proportion of capital stock represented by its property and business transacted in the state—first $50,000 or less, $50; each additional $10,000 or less, $5.

Superintendent of insurance: Permit to do business in the state to fraternal-beneficiary associations, $5; other insurance companies, fees for filing declaration on organization or admission to state, $50; annual statement, $30; supplementary statement, $10; other papers, $10; agent's copy of company's certificate of authority, $2; issuing certificates of deposits for life and accident insurance companies, $1; every other certificate, including seal, 25 cents; agents, selling stock of foreign insurance company, $2; furnishing copies of papers, etc., per folio, 20 cents; for affixing seal of office, $1; mutual companies, fee for certificate of incorporation, $75; assessment companies, for issuing certificate, $25; for annual statement, $25; for agent's copy, etc., $2 (does not apply to fraternal companies); domestic companies, stipulated premium plan, same fees as assessment companies, except agent's license, $1.

Banks, trust companies, savings banks, safe deposit institutions, and mortgage loan companies pay the following fees annually to the bank examiner: Capital of $12,500 or less, $15; $12,500 to $25,000, $20; $25,000 to $50,000, $25; $50,000 to $100,000, $35; $100,000 to $150,000, $50; $150,000 to $250,000, $75; $250,000 to $500,000, $150; $500,000 to $1,000,000, $250; $1,000,000 to $2,000,000, $400; $2,000,00 to $4,000,000, $650; over $4,000,000, $900. (Surplus reckoned in estimating these fees.)

Barbers.—Board of examiners, certificate, $1; annual certificate or license, $1. Pharmacists—examination, $5; renewing license, $1. Assistant pharmacists—examination, $3; renewing license, $1; permit to conduct a drug store in village of 500 inhabitants, $5. Dentists—examination, $10; reexamination, $5. Embalmers—license, $5; registration, $2. Certificates by game commissioner, scientific collection of birds, eggs, and nests, $2.

Inspecting factories.—Inspecting buildings in which there are employed 3 or less persons, 50 cents; 3 to 25 persons, $1; 25 to 60 persons, $2; more than 60 persons, an additional fee of $1 for each 50 additional persons or fraction thereof. Inspecting hotels, 20 rooms or less, $5; 20 to 50 rooms, $10; 50 or more rooms, $25 annually.

Motor vehicle registration fees.—Less than 12 horsepower, $2; 12 to 24 horsepower, $3; 24 to 36 horsepower, $5; 36 to 48 horsepower, $7; 48 to 60 horsepower, $8; 60 to 72 horsepower, $10; over 72 horsepower, $12. Transfer fee, $1. Manufacturers' and dealers' registration fee, $16. Chauffeur's license, $1.50 per annum.

Inspecting petroleum, per barrel, 12 cents. Inspecting tobacco, per hogshead, 25 cents. State registrar—vital statistics certified copies, 50 cents.

The person to whom a liquor dramshop license has been issued shall pay to the excise commissioner a fee of $3 for each state and city license issued, and a further sum of $3 for taking acknowledgments to each petition.

The county court or excise commissioner collects a fee of 75 cents for administering oath, and same amount for issuing a license to manufacturers, rectifiers, wholesale and retail dealers other than dramshop keepers.

F. THE INCOME TAX.

There is no income tax in Missouri.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and exempt and the methods of assessment and of equalization are the same for county taxes as for state taxes.

2. *Rate*—

The county court fixes the rate of county tax: In counties having $6,000,000 worth of property or less, not to exceed 50 cents on $100; in counties having $6,000,000 and less than $10,000,000 worth, not to exceed 40 cents on $100; in counties having $10,000,000 up to $30,000,000 worth, not to exceed 50 cents on $100; in counties having $30,000,000 worth or more, not to exceed 35 cents on $100.

The rate of taxation on the road bed, rolling stock, and other movable property of railroads for school purposes and for the erection of public buildings is the average of the rates in the school districts and districts levying a tax for buildings.

In counties under township organization the same limitation of rates applies, township taxes being considered by the courts as essentially county taxes.

3. *Collection*—

Same as for state.

B. POLL TAXES.

The county court levies a poll tax of $2 on all able-bodied male inhabitants of the county over 21 and under 50 years of age not residing in cities, towns, or villages, and 50 cents on all other able-bodied male citizens over the age of 21. This tax is collected by the road overseer.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no inheritance or special corporation taxes for the counties, other than the county's share of the insurance fund.

E. BUSINESS TAXES, LICENSES, AND FEES.

County courts of counties having a population of 50,000 inhabitants, or lying adjacent to cities having a population of 300,000 inhabitants, may impose such license taxes as the court may deem proper upon all theatrical or minstrel performances, shows, circuses, roller rinks, scenic railways, shooting galleries, etc.

No county is to levy licenses over 100 per cent more than the rate authorized for state purposes; auctioneers, six months, $10 to $100; billard tables, $20 each; for other gaming tables, $10 each; on peddlers the rate must not exceed that of the state; on dramshops, the rate fixed by the county court is from $250 to $400 (two-thirds is to be set apart as a special road fund except that in counties of 50,000 inhabitant or less, where such license tax is derived from saloons situated in any township that is indebted, and that has compromised or may compromise its indebtedness, then the two-thirds shall be applied to payment of such debt); shows and circuses—the county courts may impose such tax as they may deem proper and reasonable, the proceeds of which go to the county school fund. Itinerant vendors, $2 per year.

Annual dog license: $1 for every male or spayed female, and $2 for every female.

Tuberculosis hospital districts may be organized and the boards of commissioners of such hospitals may levy a tax of not to exceed 2 mills on each dollar of the aggregate assessed valuation of the property within such districts and subject to taxation for the purpose of erecting, maintaining, etc., the hospital buildings and other improvements.

In addition to the taxes authorized to be levied for county purposes under and by virtue of section 2, Article X, of the constitution of this state, the county courts in the several counties of this state, not under township organization, may in their discretion levy and collect in the same manner as state and county taxes are collected a special tax not exceeding 25 cents on each $100 valuation, to be used for road and bridge purposes, but for no other purpose whatever; and the power hereby given said county courts and township boards is declared to be a discretionary power.

MUNICIPAL REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the methods of assessment and of equalization are the same for municipal as for state taxation. St. Louis and cities of the first and second classes have their own local valuations and boards of appeals. In cities of the third and fourth classes the city assessor, jointly with the county assessor, assesses the city property. The mayor and city assessor sit with the county board of equalization to adjust valuations in these cities.

2. *Rate*—

Cities having a population of over 300,000 inhabitants are authorized to levy for local purposes a lower ad valorem rate of taxation on merchandise held by merchants, and the raw materials, merchandise, finished products, tools, machinery, and appliances used by manufacturers than on real estate and other property. Such cities may license merchants and manufacturers in proportion to sales made. No incorporated city has power to levy or collect any tax, license, or fees from any farmer or producer for sale of produce raised by him when sold from his wagon.

(1) In cities with a population of 100,000 and less than 300,000 the municipal assembly may levy not exceeding 1 per cent for municipal purposes and such sum as is necessary to pay the public debt.

(2) In cities with a population of 30,000 to 100,000 the tax is $1; in cities with a population of 10,000 to 30,000, 60 cents; in cities of 1,000 to 10,000 inhabitants, 50 cents; and in cities of 1,000 population or less, 25 cents on the $100 valuation.

3. *Collection*—

Collection is made by the city collectors.

B. POLL TAXES.

Cities of the first and second class may levy on all male citizens between 21 and 60 years of age a poll tax of $1.50 for improvement of streets; cities of the third and fourth class may levy a poll tax on able-bodied male citizens between 21 and 50 years of age not to exceed $2; cities of the fourth class may also levy a poll tax on all able-bodied male citizens between the ages of 21 and 50 years not to exceed $2, for street purposes, which may be commuted to three days' labor; towns and villages may levy a poll tax on all able-bodied male citizens between 21 and 50 years of age not to exceed $3 for road purposes, which may be commuted to three days' labor.

In counties not under township organization special road districts may be organized and the county courts shall levy upon every able-bodied male inhabitant in said district over 21 and under 60 years of age, and outside the limits of an incorporated city or town, $2, and upon all other male citizens over 21 years of age, 50 cents, and upon all real and personal property in said district taxable for said purposes a tax of not less than 10 nor more than 20 cents on each $100 valuation.

In counties under township organization the township board shall levy upon every able-bodied male inhabitant in the several road districts over 21 and under 50 years of age, not less than $2 nor more than $6 and upon all other male citizens over the age of 21 years the sum of 50 cents.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no inheritance or special corporation taxes for the municipalities.

E. BUSINESS TAXES, LICENSES, AND FEES.

No city, town, or village may tax ministers, teachers, priests, lawyers, or doctors, but municipalities may levy license taxes on all other occupations, trades, and amusements.

Cities of the first class may require a license tax on agents of foreign insurance companies not to exceed $100 per year; on dramshops the tax as fixed by the authorities of towns and cities; on merchants and manufacturers no municipality is to levy any greater amount of tax than the state levies; on billiard and other amusement tables, $20 each for the first, $10 each for others.

Cities with a population of 50,000 or more, having an improved wharf, are authorized to collect a wharfage tax, when the local tax for upkeep of wharf does not exceed 1 mill per dollar, not to exceed 3 cents per ton from all boats assessed in the city for each landing at the wharf and one of 5 cents per ton from boats not assessed in the city. Cities with a population of from 5,000 to 50,000 are authorized to collect $2 for every landing. Cities with a population of less than 5,000 may collect $1.50 per landing.

SCHOOL REVENUES.

The public school fund is apportioned among the counties and the several districts therein in proportion to the number of teachers, principals, and supervisors actually employed for the entire term, and determined as to the amount payable to each district, by the average attendance, as a factor, by the salaries paid to teachers by said districts, and by the further requirement that in order to participate in such revenue the district shall levy a tax of 40 cents on the $100 assessed valuation or such less amount as will, with the moneys received from the public funds, amount to $350 for school purposes.

School taxes are levied on the property of each district, including the goods, wares, and merchandise of merchants, by the county clerk, and are not to exceed except for building purposes 1 per cent in cities, towns, and villages, and 65 cents on $100 in other districts. For the sinking fund there may be levied 40 cents on $100, and in addition a sufficient amount to pay interest.

The tax levy may, however, be increased by special election in the district.

One-half of the state tax on foreign insurance companies and the county tax on shows and circuses go to the school fund. Where fines and forfeitures in criminal cases are granted to any schools other than the common schools, one-third of the county revenue derived from dramshop licenses is to be set apart for the latter.

Gifts to public schools or university fund are received by the state as trustee and the income applied according to the wishes of the grantor.

Funds collected under the Morrill bill are apportioned as follows: One-sixteenth, Lincoln Institute; one-fourth, school of mines; balance to treasurer of the state university, for the benefit of the agricultural college.

DRAINAGE AND LEVEE DISTRICTS.

Upon a proper vote of the electors drainage and levee districts may be formed by the county courts. A board of 5 supervisors is elected in each district, and upon the application of these supervisors the courts appoint a board of 3 commissioners to assess benefits and damages. The supervisors may levy certain taxes for the erection and maintenance of the drainage machinery in these districts and for the general drainage work of the district.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

All life insurance companies organized under the laws of the state shall be assessed for taxation upon the same basis of valuation as may be adopted by the assessor or by the board of equalization for taxation of the taxable property of banks or joint-stock institutions doing a banking business.

Express companies are to pay a state tax of $2.50 instead of $1.25 on each $100 of the gross receipts in the state.

Cities of the second class have a commissioner of revenue who acts as collector, treasurer, and assessor. He may appoint deputies to assist him.

Creation of office of license inspector in all counties of not less than 150,000 and not more than 500,000 population, who shall be appointed by the marshals of such counties for a term of two years.

A "Blue Sky" law regulating investment companies was enacted, providing for various fees, etc.

The registration fee of manufacturers and dealers in automobiles was reduced from $16 to $10.

MONTANA.[1]

Montana derives its state revenue principally from the general property tax. There is a state inheritance tax, of which 40 per cent goes to the county school fund. There are no special corporation taxes, except certain licenses on insurance companies. Poll taxes are for county and municipal purposes only. Business taxes and licenses are assessed by the counties, 45 per cent of the proceeds going to the state; municipalities may also inpose business taxes and licenses.

[1] This compilation is derived mainly from the following sources: The Revised Codes of Montana of 1907 and the Session Laws of 1909, 1911, and 1913.

CONSTITUTIONAL PROVISIONS.

ARTICLE XII.

SEC. 1. The necessary revenue for the support and maintenance of the state shall be provided by the legislative assembly, which shall levy a uniform rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, except that specially provided for in this article. The legislative assembly may also impose a license tax both upon persons and upon corporations doing business in the state.

SEC. 2. The property of the United States, the state, counties, cities, towns, school districts, municipal corporations, and public libraries shall be exempt from taxation; and such other property

as may be used exclusively for agricultural and horticultural societies, for educational purposes, places for actual religious worship, hospitals and places of burial not used or held for private or corporate profit, and institutions of purely public charity may be exempt from taxation.

SEC. 3. All mines and mining claims, both placer and rock in place, containing or bearing gold, silver, copper, lead, coal, or other valuable mineral deposits, after purchase thereof from the United States, shall be taxed at the price paid the United States therefor, unless the surface ground or some part thereof of such mine or claim is used for other than mining purposes and has a separate and independent value for such other purposes, in which case said surface ground or any part thereof so used for other than mining purposes shall be taxed at its value for such other purposes, as provided by law; and all machinery used in mining, and all property and surface improvements upon or appurtenant to mines and mining claims which have a value separate and independent of such mines or mining claims, and the annual net proceeds of all mines and mining claims shall be taxed as provided by law.

SEC. 4. The legislative assembly shall not levy taxes upon the inhabitants or property in any county, city, town, or municipal corporation for county, town, or municipal purposes, but it may by law vest in the corporate authorities thereof powers to assess and collect taxes for such purposes.

SEC. 5. Taxes for city, town, and school purposes may be levied on all subjects and objects of taxation, but the assessed valuation of any property shall not exceed the valuation of the same property for state and county purposes.

SEC. 6. No county, city, town, or other municipal corporation, the inhabitants thereof nor the property therein, shall be released or discharged from their or its proportionate share of state taxes.

SEC. 7. The power to tax corporations or corporate property shall never be relinquished or suspended, and all corporations in this state, or doing business therein, shall be subject to taxation for state, county, school, municipal, and other purposes on real and personal property owned or used by them and not by this constitution exempted from taxation.

SEC. 8. Private property shall not be taken or sold for the corporate debts of public corporations, but the legislative assembly may provide by law for the funding thereof and shall provide by law for the payment thereof, including all funded debts and obligations, by assessment and taxation of all private property not exempt from taxation within the limits of the territory over which such corporations respectively have authority.

SEC. 9. The rate of taxation of real and personal property for state purposes, except as hereinafter provided, shall never exceed 2½ mills on each dollar of valuation; and whenever the taxable property in the state amounts to $600,000,000 the rate shall never exceed 2 mills on each dollar of valuation, unless the proposition to increase such rate, specifying the rate proposed and the time during which the rate shall be levied shall have been submitted to the people at the general election, and shall have received a majority of all votes cast for and against it at such election; provided, that in addition to the levy for state purposes above provided for, a special levy in addition may be made on live stock for the purpose of paying bounties on wild animals and for stock inspection, protection and indemnity purposes, as may be prescribed by law, and such special levy shall be made and levied annually in amount not exceeding 4 mills on the dollar by the state board of equalization, as may be provided by law.

SEC. 11. Taxes shall be levied and collected by general laws and for public purposes only. They shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax.

SEC. 15. The governor, secretary of state, state treasurer, state auditor, and attorney general shall constitute a state board of equalization, and the board of county commissioners of each county shall constitute a county board of equalization. The duty of the state board of equalization shall be to adjust and equalize the valuation of the taxable property among the several counties of the state. The duty of the county board of equalization shall be to adjust and equalize the valuation of taxable property within their respective counties. Each board shall also perform such other duties as may be prescribed by law.

SEC. 16. All property shall be assessed in the manner prescribed by law except as is otherwise provided in this constitution. The franchise, roadway, roadbed, rails, and rolling stock of all railroads operated in more than one county in this state shall be assessed by the state board of equalization, and the same shall be apportioned to the counties, cities, towns, townships, and school districts in which such railroads are located, in proportion to the number of miles of railway laid in such counties, cities, towns, townships, and school districts.

SEC. 17. The word property as used in this article is hereby declared to include moneys, credits, bonds, stocks, franchises, and all matters and things (real, personal, and mixed) capable of private ownership, but this shall not be construed so as to authorize the taxation of the stocks of any company or corporation when the property of such company or corporation represented by such stocks is within the state and has been taxed.

OFFICERS.

The officers most directly concerned with taxation are:

(1) County assessor, elected for two years.

(2) County treasurer, collector of taxes, elected for two years.

(3) The county board of equalization composed of the board of county commissioners.

(4) State board of equalization, composed of the governor, secretary of state, state treasurer, state auditor, and attorney general.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All the property in this state is subject to taxation, except as specially exempted.

(1) Real estate, for the purposes of taxation, includes the possession of, claim to, ownership of, or right to the possession of land; all mines, minerals, and quarries in and under the land; all timber belonging to individuals or corporations, growing or being on lands of the United States, and all improvements, rights, and privileges appertaining thereto. "Improvements" include all buildings, structures, fixtures, fences, and improvements, erected upon or affixed to the land, whether the title to the land has been acquired or not.

(2) Personal property includes everything that is subject to ownership not included within the meaning of the terms "real estate" and "improvements."

(3) The exemptions, in addition to public property, are: Public libraries; property used for educational purposes; agricultural and horticultural socities; churches; hospitals; cemeteries; institutions of purely public charity; and public art galleries and public observatories not used or held for private or corporate profit; and the land necessary for the foregoing purposes. Rights of way, ditches and reservoirs of irrigation districts are exempt.

b. Assessment.—The assessment of all property for state, county, and municipal purposes is made by the county assessors annually and refers to the first Monday of March. The assessor is to require a statement under oath of all property and its value. Any property wilfully concealed, removed, transferred, or misrepresented by the owner to evade taxation is required, upon discovery, to be assessed at not exceeding ten times its value, and such assessments are not to be reduced by the board of equalization. Refusal to give a list or the falsifying of a list is punishable as a misdemeanor by imprisonment for not exceeding six months or a fine of not exceeding $500, or both. Taxable property is to be assessed at full cash value which is defined as the amount at which the property would be taken in payment of a just debt due from a solvent debtor.

Mines and mining claims are to be assessed at the price paid the United States therefor, unless the surface has an independent value for other than mining purposes. They are also assessed on their net proceeds as personalty, and this forms the real basis of taxation.

Banks are taxed on real estate the same as other real estate in the county where situated, and the residue of their property represented by shares of stock in the banks is taxed to the individual shareholders the same as other personal property and the assessment thereof shall not be at a greater proportion to face value than is the assessment of other personal property. Shares of stock of banks located without the state owned by residents are not subject to taxation.

Gas and water mains and pipes laid in the streets are assessed as personal property, also tracks of street railroads, and bridges.

In making up the amount of credits which any person is required to list, he is entitled to deduct from the gross amount all bona fide debts owing by him except notes for insurance premiums and unpaid subscriptions to societies or to the capital stock of any corporation.

The capital stock and franchise of corporations are to be listed where the principal office is located. Corporations are assessed on their property the same as individuals.

The franchise, roadway, roadbed, rails, and rolling stock of railroads operating in more than one county are assessed by the state board of equalization. Franchises granted by the United States are exempt. Other railroads and railroad property are assessed by the county assessors. The assessment made by the state board is apportioned among the different counties on the basis of mileage, and to the cities, towns, school, road, or other districts, on the same basis.

Live stock grazing in more than one county is assessed where located at the date of the annual assessment. All money derived from the assessment of live stock, after remitting the portion levied for state purposes, is deposited to the credit of the migratory stock fund. The board of county commissioners annually apportion the same among the counties where the stock has grazed, according to the records of the assessors.

c. Equalization.—The county board of equalization adjusts and equalizes the valuation of taxable property within the county, and may increase or lower any assessment.

The state board of equalization adjusts and equalizes the valuations of taxable property between the several counties of the state.

2. *Rate—*

In the fiscal years 1911 and 1912, the rate was 2½ mills for state purposes, and ¼ mill for the state bond fund, levied on each dollar of valuation of all property in the state. A levy was also made on all live stock of ½ mill for stock indemnity, inspection, and protection, and 3½ mills for the state bounty fund. The bond levy is in accordance with statutory provision.

3. *Collection—*

Taxes are collected by the county treasurer. They are delinquent on the 30th day of November and a penalty of 10 per cent is added to the amount thereof. Taxes on real property are a lien against the property assessed and taxes on personal property are a lien upon the real property of the owner thereof, which liens attach as of the first Monday of March in each year.

The county treasurer must collect the taxes on all personal property when such taxes are not in his opinion a lien upon real property sufficient to secure their payment. He may enforce collection by seizure and sale. The county treasurer in such cases is to be governed by the state and county rate of the previous year, and any excess or deficiency is adjusted later after the rate is fixed for the year.

B. POLL TAXES.

There is no state poll tax.

C. THE INHERITANCE TAX.

The tax on direct lineal inheritance applies to estates wherein personal property is valued at $7,500 or more. Realty is exempt. The rate is $1 on $100 of the clear market value.

The tax on collateral inheritance—that is, on transfers to take effect at death, other than to father, mother, husband, wife, brother, sister, wife of son, husband of daughter, adopted child, or lineal descendant—is at the rate of $5 on $100 of market value. This tax applies to estates valued at $500 or more, whether consisting of real or personal property. The county treasurer collects the tax and pays over 60 per cent to the state for the use of the general fund; 40 per cent is retained by the county for the use of the general school fund.

The tax becomes due and payable at the death of the decedent. If paid within six months of accrual, a discount of 3 per cent is allowed; if not paid within ten months, 10 per cent interest is charged from date of accrual.

D. CORPORATION TAXES.

Corporations are, in general, taxed under the general property tax.

Fire insurance companies are taxed one-fourth of 1 per cent on the gross premium receipts of such companies, less cancellations and return premiums, which is paid into the "state fire marshal fund."

E. BUSINESS TAXES, LICENSES, AND FEES.

All insurance and surety companies, except fraternal associations or secret societies insuring the lives of their members only, pay an annual license to collect in any one year premiums amounting to $5,000 or less, $125; to collect premiums over $5,000, $20 for each additional $1,000 so collected. They pay also an annual fee of $5 for every company they may represent as agent. Foreign insurance companies pay, in addition, a fee of $300 for filing certain papers and statements before beginning business in the state.

Banks pay for the state examiner's fund an annual fee as follows: With capital stock of $25,000 or less, $50; capital, $25,000 to $50,000, $75; $50,000 to $75,000, $100; $75,000 to $100,000, $150; $100,000 to $200,000, $200; $200,000 to $300,000, $250; over $300,000, $300.

Building and loan associations subject to examination by the state examiner pay an annual fee of one-twentieth of 1 per cent of its assets, but not less than $20 nor more than $50 for domestic associations, and $200 for foreign corporations. Sleeping car companies are required to pay a license tax of $100 for each car used in the state.

Secretary of state.—For copies of laws, etc., 20 cents per folio; seal, $1; certificate of incorporation, $3; recording and filing certificate of incorporation, and each certificate of increase of capital stock, minimum $20 (except in case of religious or fraternal society, $3 for issuing, and $1 for filing), 50 cents per $1,000 of capital up to $100,000; $100,000 to $250,000, 40 cents per $1,000; $250,000 to $500,000, 30 cents per $1,000; $500,000 to $1,000,000, 20 cents per $1,000; over $1,000,000, 10 cents per $1,000; same fees for foreign corporations. Certificate of decrease of stock, issuing, $3, filing, $5; certificate of corporate existence, issuing, $3, filing, $3; for recording and filing each certificate of corporate existence the following amounts shall be charged: Amounts up to $100,000, 25 cents per $1,000; additional from $100,000 to $250,000, 20 cents per $1,000; additional from $250,000 to $500,000, 15 cents per $1,000; additional from $500,000 to $1,000,000, 10 cents per $1,000; additional over $1,000,000, 5 cents per $1,000; for filing notice of removal or of change of name, $3; filing appointment of agent, $5; annual or semiannual statement of any foreign corporation, $5; recording official bond, $2; commissions, $5; filing trade-mark, $3; filing miscellaneous papers, $1; recording, 20 cents per folio; filing any other paper not otherwise herein provided for, $1, and 20 cents per folio for recording.

F. THE INCOME TAX.

There is no income tax in Montana.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the methods of assessment and of equalization thereof are the same for county as for state taxes.

2. *Rate—*

The board of county commissioners of each county fixes the rate of county taxes and designates the number of mills on each dollar of valuation of property for each fund. The tax for general purposes may not exceed 16 mills on the assessed valuation. There must be levied 4 mills for schools.

The board may also levy a tax not to exceed one-fifth of 1 per cent for poor relief. There is to be levied on all property in the county a tax of not less than 1 mill nor more than 3 mills on the dollar for road purposes.

3. *Collection—*

County taxes are collected, as are the state taxes, by the county treasurer.

B. POLL TAXES.

Every male inhabitant of the state over 21 and under 60 years of age, except paupers, insane persons, and Indians not taxed, must annually pay a poll tax of $2. In case a person's name does not appear on the assessment list, payment of his poll tax is to be demanded by the assessor. In other cases the tax is to be added to the assessment list and paid to the county treasurer at the time of the payment of other taxes. The treasurer may serve notice to pay to some designated person or collect from the taxpayer's employer. The poll tax is to be paid to the county treasurer for the exclusive use of the poor fund of the county.

Each able-bodied man over 21 and under 50 years of age residing in each road district is required to pay a special tax of $2. Payment may be made, however, by one day's labor on the roads. The road tax is due and payable to the county treasurer after October 1 of each year and may be collected in the manner provided for the collection of the general poll tax.

C. THE INHERITANCE TAX.

Forty per cent of the state inheritance tax goes into the county school fund.

D. CORPORATION TAXES.

There are no county corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

Oleomargarine, license, 1 cent per pound; billiard tables, each, $3.75 per quarter; bowling alleys, each, $5 per quarter; theaters, in towns and cities of over 3,500 inhabitants, $100 per annum; in towns of 3,500 inhabitants or less, $2 each performance; opera or concert singer, each exhibition, $3; minstrels, etc., $5 each performance; variety show and concert, $75 per month; circuses or menageries, $125 per day.

Pawnbrokers, $55 per quarter; intelligence office, $10 per quarter; shooting gallery, $15 per quarter; laundries, other than steam, $10 per quarter. Express companies and carriers of passengers (amount of business and of license computed quarterly), business $75,000 or over, $225; $50,000 to $75,000, $150; $25,000 to $50,000, $50; $5,000 to $25,000, $25; under $5,000, $5; architects, builders, and manufacturers—business over $15,000 per year, $10 per quarter; gas or electric light companies—cities of 10,000 inhabitants and over, $200 per year; 5,000 and less than 10,000 inhabitants, $100 per year; 1,500 and less than 5,000 inhabitants, $50 per year. Water companies—cities of 10,000 inhabitants and over, $400 per year; 5,000 and less than 10,000 inhabitants, $200 per year; 1,500 and less than 5,000 inhabitants, $100 per year; in towns, $50 per year. Telephone companies for each instrument in use, 75 cents per year; telegraph companies, for each instrument in use, $5 per quarter. Street railways—in towns of over 4,000 inhabitants, $50 per quarter; in towns of less than 4,000, $25 per quarter. Skating rinks, merry-go-rounds—cities of 3,000 inhabitants, $50 per quarter; 1,000 and less than 3,000 inhabitants, $30 per quarter; less than 1,000 inhabitants, $10 per quarter. Railroad company's warehouse, in each county, $10 per quarter; insurance agent's certificate, $5; peddlers—on foot, $12.50 per quarter; with wagon, $50 per quarter; itinerant vendors—on foot, $12.50 per quarter, otherwise than on foot, $100 per quarter. Sale of pools on races, $25 per day; stallion, jack, and bull, $10 to $75; to hunt large or big game, small and feathered game, and to fish, nonresidents, $25; to hunt small and feathered game and to fish, nonresidents, $10; to fish, nonresidents, $5; to hunt or fish, bona fide residents, $1; liquors, in city of 10,000 inhabitants or over, and within 1 mile thereof, $330 semiannually; 3,500 to 10,000, $275 semiannually; 1,000 to 3,500, $264 semiannually; 300 to 1,000, $220 semiannually; less than 300, $165 semiannually. Wholesale liquor dealers, same as merchants; distillers of spirituous liquors, $600 per year; cigarettes, $10 per month; brewers of malt liquors and wholesalers whose sales are over $3,000 per month, $25 per month; over $1,000 and up to $3,000 per month, $15 per month; over $500 and up to $1,000 per month, $7.50 per month; $500 or less per month, $5 per month; manufacturer of malt only, $100 per year; bottled soda water, etc., manufacturer—city of over 10,000 inhabitants, $60 semiannually; 5,000 to 10,000, $40 semiannually; less than 5,000, $25 semiannually. Peddlers and canvassers of clocks, agricultural implements or machinery, stoves, or vehicles, $500 per annum for each calendar year or any portion thereof in each county.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the methods of assessment and of equalization are the same for cities and towns as for the state, but the council may by ordinance provide an independent assessment.

2. *Rate—*

The rate is determined by the municipal council. The amount of taxes levied for general municipal purposes must not exceed 1 per cent of the assessed value.

The council may levy a tax not exceeding 2 mills on the dollar for the maintenance of parks.

3. *Collection—*

The city or town treasurer has the same power to collect municipal taxes as the county treasurer has to collect state and county taxes.

B. POLL TAXES.

All able-bodied male inhabitants of a city or town between 21 and 50 years of age must pay an annual road poll tax of $2. It may be paid in labor on the roads.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no inheritance or corporation taxes for municipalities.

E. BUSINESS TAXES, LICENSES, AND FEES.

The council may by ordinance license all industries, pursuits, professions, and occupations for which under the state law a license is required, but the amount must not exceed the sum required by the state law.

School Revenues.

The state school fund consists of the proceeds of the sale of school lands and the moneys derived from certain other sources. The income is apportioned to the counties.

The county school fund consists of the proceeds of an annual tax of 4 mills on the dollar, which the county commissioners must levy at the time other taxes are levied; of all fines and forfeitures; and of 40 per cent of all inheritance taxes. The county school fund together with the county share of the state school fund is apportioned to the school districts.

School districts through the county commissioners levy a tax of not to exceed 10 mills on the dollar on the property of school districts to maintain the schools of such districts.

The legislative assembly is required to levy such a tax for school purposes as is reported necessary by the state auditor.

Legislation Affecting Revenue Laws: 1913.

The following amendment to the state constitution was submitted to the qualified electors of the state to change the rate of taxation:

Sec. 1. That for a period of 10 years from and after the passage of this act, by a vote of the people, the rate of taxation on real and personal property shall not exceed 3½ mills on each dollar valuation; except that if at any time during this 10-year period the taxable property of the state shall amount to $600,000,000, the rate shall never exceed 3 mills on each dollar of valuation: *Provided, however,* That the proceeds from 1 mill of any levy made during this period for state purposes shall be used exclusively for the support of the University of Montana, the Agricultural College of Montana, the School of Mines, and the State Normal College, except that not more than 10 per cent of the proceeds from 1 mill of any levy made for state purposes may be used for the support of industrial and agricultural courses given in any high school of the state, and that 5 per cent of the proceeds from 1 mill of any levy for state purposes shall be used for the support of the elementary schools of the state, in school districts where the regular tax levy does not produce sufficient revenue to permit the holding of more than six months school each year.

A state tax commission was created, to be composed of the governor, secretary of state, state treasurer, attorney general, state auditor, and a man to be appointed by the governor for a term of six years and to be designated as the state tax commissioner.

The state tax commissioner shall every two years designate and appoint three residents and taxpayers as a county board of appraisers, of each of which boards he shall be ex officio a member.

The board of county commissioners in any county in Montana shall have the power to levy an ad valorem tax of 1 mill or less on each dollar of taxable property in such county for the purpose of securing, equipping, and maintaining a county fair, including the purchase of land for such purpose.

A state board of examiners for nurses was created. All persons desiring registration as nurses pay an examination and registration fee of $10.

A state board of veterinary medical examiners was created. All applicants for examination and registration pay a fee of $10. Master-plumber's examination fee, $10; journeymen, $2; renewal of licenses, $2.50 and $1, respectively.

Aliens pay a hunting and fishing license of $30; license for motor vehicles of less than four wheels, $5; for automobiles, from $10 to $20, according to horsepower; chauffeur's license, $2; moving-picture shows in cities and towns of over 1,500 population, $25; agents soliciting or selling nursery stock, annual license, $10; a state athletic commission was established to have jurisdiction over all athletic contests in the state; every club or association exercising any privileges under this board pays to the state treasurer a tax of 10 per cent of its gross receipts from the sale of tickets of admission to any exhibitions staged by them.

NEBRASKA.[1]

Nebraska draws its revenue mainly from the general property tax. Corporations pay an occupation tax based on their capital stock, in addition to the property tax. Foreign insurance companies pay a special state tax. Considerable revenue is derived from fees and an inheritance tax. Poll taxes and practically all the business taxes and licenses are left to the counties and municipalities. All license moneys, fines, forfeitures and penalties, escheats, and individual witness fees go to the schools.

CONSTITUTIONAL PROVISIONS.

ARTICLE IX.

SEC. 1. The legislature shall provide such revenue as may be needful, by levying a tax by valuation, so that every person and corporation shall pay a tax in proportion to the value of his, her, or its property and franchises, the value to be ascertained in such manner as the legislature shall direct, and it shall have power to tax peddlers, auctioneers, brokers, hawkers, commission merchants, showmen, jugglers, innkeepers, liquor dealers, toll bridges, ferries, insurance, telegraph and express interests or business, vendors of patents, in such manner as it shall direct by general law, uniform as to the class upon which it operates.

SEC. 2. The property of the state, counties, and municipal corporations, both real and personal, shall be exempt from taxation, and such other property as may be used exclusively for agricultural and horticultural societies, for school, religious, cemetery, and charitable purposes, may be exempted from taxation, but such exemption shall be only by general law. In the assessment of real estate encumbered by public easement any depreciation occasioned by such easement may be deducted in the valuation of such property. The legislature may provide that the increased value of lands by reason of live fences, and fruit and forest trees grown and cultivated thereon, shall not be taken into account in the assessment thereof.

SEC. 3. Redemption from tax sales.

SEC. 4. The legislature shall have no power to release or discharge any county, city, township, town, or district whatever, or the inhabitants thereof, or any corporation or the property therein, from their or its proportionate share of taxes to be levied for state purposes, or due any municipal corporation, nor shall commutation for such taxes be authorized in any form whatever.

SEC. 5. County authorities shall never assess taxes the aggregate of which shall exceed $1.50 per $100 of valuation, except for the payment of indebtedness existing at the adoption of this constitution, unless authorized by a vote of the people of the county.

SEC. 6. The legislature may vest the corporate authorities of cities, towns, and villages with power to make local improvements by special assessment, or by special taxation of property benefited. For all other corporate purposes all municipal corporations may be vested with authority to assess and collect taxes, but such taxes shall be uniform in respect to persons and property within the jurisdiction of the body imposing the same.

SEC. 7. The legislature shall not impose taxes upon municipal corporations, or the inhabitants or property thereof, for corporate purposes.

OFFICERS.

The officers mostly concerned with taxation are:

(1) Precinct assessor, one elected for two years, in each precinct, ward or township. In cities of over 4,000 inhabitants, the number of assessors is determined by the county board and county assessor, and such number is elected en masse. The county assessor assigns such local assessors to the districts to be assessed by them.

(2) County assessor, elected for four years, not eligible for two consecutive terms.

(3) County treasurer, elected for two years, who acts as collector.

(4) County board of equalization, composed of the board of county commissioners, the county assessor, and the county clerk.

(5) State board of equalization and assessment, composed of the governor, auditor, treasurer, secretary of state, and the commissioner of public lands and buildings.

[1] This compilation is derived mainly from the following sources: Cobbey's Annotated Statutes of 1907, and Laws of Nebraska of 1909, 1911, and 1913.
Revenue Laws, 1911, compiled by State Board of Equalization.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—The property included is grouped under the following classes:

(1) All real and personal property in the state.

Only the improvements on school lands and the value of the interest of the purchaser are taxable before the right to a deed has become absolute, and these are listed as personal property.

(2) All moneys, credits, bonds, and stock, and other investments, the shares of stock in incorporated companies and associations, and all other personal property, including property in transit to and from the state, used, held, owned, or controlled by persons residing in the state; shares of capital stock of banks doing business in the state; and the capital stock of companies incorporated under the laws of the state.

(3) Exemptions, in addition to public property, are: Property used for agricultural and horticultural societies; for school, religious, cemetery, and charitable purposes; also, the increased value of lands by reason of live fences, and fruit and forest trees grown and cultivated thereon. Any depreciation in value of property caused by a public easement is deducted from the assessed valuation.

b. Assessment.—The assessment of all classes of property is based on 20 per cent of the actual value, which is defined as the value in the market in the ordinary course of trade. Each precinct assessor is required, upon actual view, to list, value, assess, and return all property in the townships, precincts, cities or wards and villages assigned to him. The assessment refers to the 1st day of April.

Real estate generally is assessed but once in four years, the last assessment being made in 1912. But improvements of over $100 in value added after the regular assessment has been made are assessed in the year of their construction, and losses by fire, flood, or otherwise are deducted. Taxpayers are not required to submit a statement of their reality holdings, but the assessor is assisted by all the officers and has access to all the public records. Land and improvements are listed separately. Improvements on leased land and on lands for which a patent has not been issued are treated as personal property.

In 1911 the state legislature passed an act to tax mortgages on real estate. The value of the mortgage is assessed and taxed to the mortgagee, unless otherwise provided by contract, the excess in value of the real estate above the mortgage, to the mortgagor.

Personal property is listed annually on the basis of sworn statements made by the owners or holders. Schedules are furnished by the state board of equalization and assessment. The making of false statement, or the refusal to list property, is punishable by a fine of from $50 to $2,000 and may also involve prosecution for perjury.

The gross receipts of foreign fire insurance companies, and the gross receipts, less reinsurance and cancellations, of domestic life, fire, accident, and surety companies, except domestic fraternal and mutual associations, and such as have no capital stock and pay no dividends in any form, are to be returned at the place where the agent conducts business and are taxable as an item of property in the same manner as other taxable property. Foreign life, accident, and surety companies pay an annual tax of 2 per cent on their gross receipts.

Grain brokers are assessed upon the average amount of capital invested, in addition to tangible property.

Corporations generally, except those specially provided for, are assessed by the local assessors on their real estate, tangible personalty, and franchises.

Street railways, waterworks, electric light and gas works, natural gas, mining, and all other like companies are assessed on their franchises as well as on their tangible property.

Railroads and car companies are to list their terminals, union stations, machine shops, and in general all local tangible property with the local assessors. But the main track, right of way, rolling stock and all other property of a general operative character are listed and assessed by the state board of equalization and assessment, and apportioned to the localities on the unit rule.

Banks, loan and trust companies, or investment companies are assessed on their real estate and tangible personal property. The shareholders therein are assessed on the excess value of the shares over and above the value of the property assessed to the bank. The bank pays the taxes and has a lien on the stock to secure reimbursement.

Nursery stocks, growing or otherwise, in the hands of nurserymen are listed and assessed as merchandise.

c. Equalization.—The county board of equalization acts as a board of review and equalizes between individuals and also hears and passes on appeals. The valuation of personal property is equalized annually and that of real property once in two years, except in cases of evident error or apparent gross injustice in valuation, which may be considered at the annual meeting of the board. It also equalizes between townships and other local assessment districts. An appeal may be taken to the district court.

The state board of equalization equalizes between counties, increasing or decreasing the assessment roll in each, and it may increase or decrease the assessment of any class of property separately. The assessment as equalized by the state board is the final assessment upon which the taxes for all purposes are levied.

2. *Rate—*

The state board of equalization fixes the rate of the state tax for the various purposes.

The rate of the general tax is to be not more than 5 mills on the dollar of valuation; that of the school tax, not less than one-half of 1 mill nor more than 1½ mills.

3. *Collection—*

The county treasurer is ex officio tax collector, and all taxes levied in the county must be paid at his office. Personal taxes unpaid February 1 may be collected by distress and sale as in execution, or by civil action. Personal taxes are delinquent December 1, real taxes May 1, and both draw interest at 10 per cent. Taxes are a lien on the personal property assessed from and after the 1st day of November, and taxes on real estate are a lien on such property from the 1st day of October.

B. POLL TAXES.

There are no state poll taxes.

C. THE INHERITANCE TAX.

Property passing by will or by the intestate laws of the state, or by transfer made in contemplation of death, to the father, mother, husband, wife, child, brother, sister, wife or widow of a son, husband of a daughter, adopted child, or lineal descendant is subject to a tax of $1 on every $100 of clear market value in excess of $10,000 received by each person; passing to any uncle, aunt, niece, nephew, or lineal descendant of the same is subject to a tax of $2 on every $100 on the excess of $2,000 received by each person; in all other cases the tax is $2 on every $100 up to $5,000; $3 on every $100 for an estate of over $5,000 and up to $10,000; $4 on every $100 for an estate of over $10,000 and up to $20,000; $5 on every $100 for an estate of over $20,000 and up to $50,000; $6 on every $100 for an estate over $50,000, provided that estates valued at less than $500 shall be exempt.

The tax is a lien on the property for five years, and becomes due and payable at the death of the decedent. Interest is charged at 7 per cent from date of accrual until paid, unless paid within one year of said time.

The tax is paid to the county treasurer for the use of the state, and is expended under the direction of the county board of each county for the sole purpose of the permanent improvement of the country roads.

D. CORPORATION TAXES.

Corporations are taxed under the general property tax.

All corporations incorporated under the laws of the state and foreign corporations doing business in the state are required to pay an occupation tax on capital stock: $10,000 or less, $5; $10,000 to $25,000, $10; $25,000 to $50,000, $20; $50,000 to $100,000, $30; $100,000 to $250,000, $50; $250,000 to $500,000, $75; $500,000 to $1,000,000, $100; $1,000,000 to $2,000,000, $150; $2,000,000 or over, $200.

Foreign life or accident insurance companies and surety companies, except such fraternal mutual associations as have no capital stock and pay no dividends in any form, pay to the state treasury a tax of 2 per cent on the gross premiums.

E. BUSINESS TAXES, LICENSES, AND FEES.

Annual licenses.—For manufacturer of imitation butter or cheese, $50; wholesale dealer in same, $25; retail dealer, $10; creamery or cheese factory producing 100,000 pounds or less per annum of butter or cheese, $5, and $1 for each 100,000 pounds additional; cream or milk tester, $1; wholesale manufacturer of ice cream, $5; retail manufacturer, $1; manufacturer of bottled soda and other non-alcoholic beverages, $5. Insurance brokers, $25; commission merchants, $10. Motor vehicles, for annual registration, $2; motorcycles, $1; change of ownership, $1. Motor vehicle licenses go to the road fund of the county where the vehicles are registered. Hunter's license, nonresident, $10, resident, $1.

For certificate with seal, $1; for commission to any civil officer, $1; copies of exemplification of records, with seal, 10 cents per 100 words; for filing articles of association, incorporation, or consolida-

tion, domestic or foreign, capital stock $10,000 or less, $10; $10,000 to $25,000, $20; $25,000 to $100,000, $50; for each additional $1,000 in excess of $100,000, 50 cents; recording articles of incorporation, 10 cents per 100 words; filing certificate of auditor or state banking board, $2; filing articles of corporation not formed for profit, $2; filing increase of capital stock, $5, and 50 cents for each $1,000 increase so certified; filing certificate of decrease, $5; changing name or filing amendment, $5; issuing license, $1; taking acknowledgment or administering oath, $1.

For examination of banks, capital of $15,000 or less, $15; $15,000 to $50,000, $20; $50,000 to $150,000, $30; over $150,000, $50: *Provided*, That such fees shall not be charged more than twice annually.

For charters to engage in banking business, with capital of $25,000 or less, $25; $25,000 to $50,000, $25, and 50 cents for each additional $1,000 over $25,000; over $50,000, $37.50, and 25 cents for each additional $1,000 over $50,000.

Fees paid for certificates to practice medicine, dentistry, embalming, veterinary surgery, optometry, and osteopathy go to the various boards of registration.

State auditor from insurance companies.—Filing first application and issuing certificate of license, $50; filing annual statement, $20; each certificate of authority to foreign companies or their agents, $2; each certificate for publication, $2; each certificate of authority to domestic companies or their agents, 50 cents. Surety companies, for filing charter, $30, for each annual statement, $20, and for each agent's license, $2. Mutual life insurance companies, filing of annual statement, $10, and for each agent's certificate, 50 cents. Mutual bond companies and hog insurance companies—incorporation fee, $10; annual statement, $1; agent's authority, 50 cents. Accident insurance companies—filing and examining articles of incorporation and issuing certificate of license, $50, and if capital stock exceeds $100,000, 10 cents for each $1,000 excess; recording articles in office of secretary of state, $10; for each annual statement, $20; agent's authority, 50 cents.

F. THE INCOME TAX.

There is no income tax in Nebraska.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the assessment and equalization thereof are the same for county as for state taxes.

2. *Rate*—

The county boards levy all county, township, city, school district, precinct, village, and other taxes.

The rate for county purposes is not to exceed $1.50 on each $100 of valuation, unless authorized by vote of the people of the county, in which event the limits shall be as follows: For county revenue and poor, 9 mills on the dollar; roads, 5 mills; bridges, 4 mills; sinking fund, 4 mills; for "special emergency bridge levy," 1 mill; for erection of county public buildings, 5 mills; for establishment and support of libraries, 3 mills.

3. *Collection*—

Same as for state.

B. POLL TAXES.

Every male inhabitant in each road district over 21 and under 50 years of age, except paupers, idiots, and lunatics, is to be assessed for a labor tax of $2.50, to be paid in cash or commuted in labor on the roads.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no inheritance or corporation taxes for the county.

E. BUSINESS TAXES, LICENSES, AND FEES.

Dealers in malt, spirituous, and vinous liquors, residing in the county but not within the limits of an incorporated city or village nor within 2 miles of the same, except in counties having a population of 150,000 or more, may be licensed by the county board. The amount of license fee is in each case established by the board in its discretion, provided it be not less than $500 annually. The proceeds of liquor and all other licenses must be used for the maintenanace of public schools.

Peddlers selling outside the limits of a city or town within any county in the state are to pay an annual tax of $25; in vehicles, one horse, $50; two-horse or more, $75; ferries, $2 to $500.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the method of equalization are the same as for state taxation. If ordered by the county board, separate assessment rolls are to be made for property within the corporate limits of cities, towns, and villages, except when such municipalities are included within the limits of any township, and except also in cities of the first class. In metropolitan cities the assessment refers to September 1.

2. *Rate*—

The county board levies such taxes as are required by the municipality. The amount is to be certified to the county clerk by the corporate authorities, and is variously limited for different classes of cities.

3. *Collection*—

Same as for state.

B. POLL TAXES.

All male residents of cities between 5,000 and 25,000 inhabitants between 21 and 50 years of age are to pay annually a labor tax of $3 for the repair of the streets, alleys, and highways of the city, or in lieu thereof to perform two days' labor.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no inheritance or corporation taxes in municipalities.

E. BUSINESS TAXES, LICENSES, AND FEES.

Cities in general have power to raise revenue by levying an occupation tax or license on any corporation or business within the limits of the city. All scientific and literary lectures and entertainments, as well as concerts given by citizens of the city, are to be exempt from such taxation.

Pawnbrokers—metropolitan cities, $100 per year; other cities, $50 per year. Liquors—in cities over 10,000, not less than $1,000 per year; in cities under 10,000, not less than $500 per year.

School Revenues.

The state common school fund, consisting of the proceeds of the sale of school lands and fines and forfeitures, etc., is increased by an annual levy of from one-half mill to 1½ mills on each $1 of valuation, and distributed to the counties in proportion to the number of scholars. All license moneys of the counties, cities, and villages are to be applied to the support of the common schools.

The county commissioners levy on the property of school districts a tax not to exceed 25 mills.

Legislation Affecting Revenue Laws: 1913.

Express companies shall pay into the state treasury on or before the 1st day of November of each year, an annual occupation tax fee which shall be equal to 2 per centum upon its gross earnings within this state.

Appointment of a commission of five men specially qualified by experience to study and deal with the problems of taxation and to compare conditions in the state with conditions elsewhere.

Corporations.—Occupation tax: Capital stock which exceeds $1,000, but does not exceed $10,000, $5; $10,000 to $20,000, $10; $20,000 to $30,000, $15; $30,000 to $40,000, $20; $40,000 to $50,000, $25; $50,000 to $60,000, $30; $60,000 to $70,000, $35; $70,000 to $80,000, $40; $80,000 to $90,000, $45; $90,000 to $100,000, $50; $100,000 to $125,000, $60; $125,000 to $150,000, $70; $150,000 to $175,000, $80; $175,000 to $200,000, $90; $200,000 to $225,000, $100; $225,000 to $250,000, $110; $250,000 to $275,000, $120; $275,000 to $300,000, $130; $300,000 to $325,000, $140; $325,000 to $350,000, $150; $350,000 to $400,000, $160; $400,000 to $450,000, $170; $450,000 to $500,000, $180; $500,000 to $600,000, $200; $600,000 to $700,000, $250; $700,000 to $800,000, $300; $800,000 to $900,000, $350; $900,000 to $1,000,000, $400; $1,000,000 to $10,000,000, $400 and $75 additional for each million or fraction thereof over and above $1,000,000; $10,000,000 to $15,000,000, $1,200; $15,000,000 to $20,000,000, $1,500; $20,000,000 to $25,000,000, $2,000; $25,000,000 and over, $2,500.

Hotels, rooming houses, apartment houses, and restaurants, registration, $2 per annum. Dentists, $1 per annum.

Billiard and pool tables, for first three tables, $10; for each additional table, $5.

The state may levy for bridges one-fifth mill.

Companies loaning money at more than 10 per cent interest are to pay an annual license fee of $100. A university building fund was established and a tax of ¼ of 1 mill for this purpose was levied for six years.

Counties were authorized to levy a tax not to exceed 2 mills to establish or assist in establishing county public telephone systems. County boards were authorized to levy a tax not to exceed 5 mills for the erection of court houses or jails.

In cities of from 40,000 to 100,000 population the council was authorized to levy a dog tax, and also a tax not to exceed 5 mills for public grounds and park purposes.

The limit of the school district levy was raised from 25 to 35 mills, and they were also authorized to levy a tax not to exceed 10 mills for school buildings.

Inspection of nursery stock was provided for with fees ranging from $5 to $20; also inspection of oils with fees of from 10 cents to 25 cents per barrel. Cold storage warehouses pay a license of $5.

NEVADA.[1]

Nevada derives its revenue mainly from the general property tax. There is in addition a poll tax for the maintenance and repair of the public highways. There is no inheritance tax. The counties have an extensive system of license taxes on brokers, bankers, merchants, liquor dealers, sheep raising, and various lines of business and amusements. The state also imposes a license on liquor dealers, and receives a portion of the license receipts from houses of amusement and sparring matches. Municipalities are empowered to exact licenses from all lines of business, trade, and professions.

CONSTITUTIONAL PROVISIONS.

ARTICLE X.

SEC. 1. The legislature shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, real, personal, and possessory, except mines and mining claims, when not patented, the proceeds alone of which shall be assessed and taxed, and when patented, each patented mine shall be assessed at not less than $500, except when $100 in labor has been actually performed on such patented mine during the year, in addition to the tax upon the net proceeds, and excepting also such property as may be exempted by law for municipal, educational, literary, scientific, or charitable purpose.

ARTICLE IX.

SEC. 1. The fiscal year shall commence on the 1st day of January in each year.

SEC. 2. The legislature shall provide by law for an annual tax sufficient to defray the estimated expenses of the state for each fiscal year, and whenever the expenses of any year shall exceed the income, the legislature shall provide for levying a tax sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses, of such ensuing year or two years.

ARTICLE XI.

SEC. 6. The legislature shall provide a special tax, which shall not exceed 2 mills on the dollar of all taxable property in the state, in addition to the other means provided for the support and maintenance of the state university and common schools.

ARTICLE VIII.

SEC. 2. All real property and possessory rights to the same, as well as personal property in this state belonging to corporations now existing or hereafter created, shall be subject to taxation the same as property of individuals: *Provided*, That the property of corporations formed for municipal, charitable, religious, or educational purposes may be exempted by law.

ARTICLE II.

SEC. 7. The legislature shall provide by law for the payment of an annual poll tax of not less than $2 nor exceeding $4 from each male person resident in the state between the ages of 21 and 60 years (uncivilized American Indians excepted), to be expended for the maintenance and betterment of the public roads.

OFFICERS.

The officers most directly concerned with taxation are:

(1) County assessor, elected every two years.

(2) County recorder, elected every two years, who is ex officio county auditor.

[1] This compilation is derived mainly from the following sources: Revised Laws of Nevada, 1912—annotated. Statutes of Nevada, 1913.

(3) County treasurer, elected every two years, who is ex officio tax collector.

(4) County commissioners elected for four years.

(5) County board of equalization, composed of the county commissioners of each county and the county clerk.

(6) Sheriff, elected every two years, who is ex officio collector of license taxes.

(7) State license and bullion tax agent, appointed by the governor.

(8) State board of revenue, consisting of the governor, state comptroller, and attorney general.

(9) The state board of assessors, composed of the county assessors, who meet annually with the state revenue board at the state capitol.

State Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All property of every kind and nature within this state, except that exempted by law, is subject to taxation.

(1) Real estate includes all houses, buildings, fences, ditches, railroads, toll roads and bridges, and other structures, erections, and improvements erected upon any land, whether such land be private or public property, and the ownership of, claim to, or possession of any lands in the state.

(2) Personal property includes all chattels; money on hand, on deposit, or at interest; solvent debts when the amount exceeds the same character of indebtedness of the party assessed; all locomotives, cars, and rolling stock used in operating any railroad within the state; all capital employed in trade and commerce; the capital stock of all corporations, except the capital stock of corporations organized for mining purposes; and all property not included in the term "real estate."

(3) Exemptions in addition to public property are: Unpatented mines and mining claims, but not the proceeds of mines; churches and buildings used for religious worship, with their furniture and equipments; property of the Masons, Odd Fellows, and similar charitable organizations or benevolent societies up to $5,000; public free cemeteries; property up to $1,000 of widows and orphans who are residents of the state. The property of the Young Men's Christian Association, including buildings, furniture, and equipment.

b. Assessment.—The assessment made by the county assessors is the basis of taxation for state, county, city, town, school, road, and other taxing districts. All persons are required to make statements under oath of the items of real estate and personal property in their possession subject to taxation. The assessor determines the true cash value which is construed to mean the amount at which the property would be taken in payment of a just debt due from a solvent debtor. Penalties for neglect or refusal to make the statement are the loss of rights before the board of equalization and a fine of $10 to $500, or imprisonment not to exceed 3 months, or both, and for making a false list, not less than 1 and not more than 14 years' imprisonment.

The assessment does not seem to refer to one particular date, but is to be made between the first Monday in March, the date of levy of taxes, and the first Monday in September, and refers to the time when made.

The proceeds of unpatented mines are assessed quarterly as personal property.

From the gross yield of all ores, tailings, borax, soda, or mineral bearing material there is to be deducted the actual cost of extracting the ore from the mine, the cost of transportation to the place of reduction, and the actual cost of reduction or sale, and the remainder or net proceeds is assessed and taxed at the same rate ad valorem as other property is taxed.

Patented mines are assessed by the county assessors as provided in Article X of the constitution.

The act of March 13, 1903, provides that the assessors of the several counties shall meet at the capitol and establish a valuation throughout the state of all railroads and rolling stock, telegraph and telephone lines, electric light and power lines, of all cattle and sheep, and other kinds of property which can be valued and assessed more uniformly by the assessors acting collectively.

Patented land and land held under any state land contract are assessed for not less than $1.25 per acre.

All banks are taxed on their real estate, and the shares of stock less the value of the real estate are assessed to the owners in the county or city where the bank is located. The bank pays the tax on the shares of stock.

All the property of every bank in which no shares of stock have been issued is assessed to it in the same manner as other property is assessed to the owners thereof.

No bank issuing stock is assessed upon other property than its real estate and no stockholder in such bank is assessed on account of his property interest therein, except for his share of stock.

The shares of stock or bonds issued by any domestic corporation are not taxed by the state when the same are held by nonresidents.

A mortgage, deed of trust, contract, or other obligation given to secure a debt, for purpose of assessment, is treated as an interest in the property affected thereby, except as to railroad and other quasi public corporations. The property affected by such mortgage, etc., less the value of such security, is assessed to the owner of the property, and the value of the security is assessed to the owner thereof, in the county, city, or district in which the property is situated.

For the purpose of assessment of the property and franchises of any express company the cash value thereof is to be not less than the largest amount on which the net profit of the company for the calendar year previous to the assessment will pay interest or dividends at the rate of 8 per cent per annum. The net profit is the difference between the average gross annual earnings per mile on the mileage operated in the state on local and through business and the necessary annual average expense per mile on such mileage operated in the state.

The assessment of railroad property is made on a mileage basis, and apportioned accordingly to the various counties, except in the event that any portion of the rolling stock or personal property of a railroad company operated wholly within the state shall not be used in all the counties through or into which such railroad runs, then such portion of said rolling stock or personal property shall be assessed only in the county or counties where used or employed.

c. Equalization.—The county board of equalization equalizes between individuals and may correct any valuation, but no reduction is to be made where the complainant refused to make his list under oath. The equalization is made after the third Monday of September.

There is no state board of equalization, but the county assessors of the several counties are required to meet at the capitol to establish throughout the state a uniform valuation of all classes of property.

2. *Rate—*

The rate of state tax is fixed by the legislature, which convenes biennially.

A rate of 60 cents on each $100 of taxable property was fixed by statute for the year 1912 and apportioned as follows: 39.6 cents to general fund; 3 cents to territorial interest fund; 3 cents to state interest and sinking fund; 6 cents to general school fund; 5 cents to contingent fund; 1 mill to university contingent fund, 1905, No. 1; 3 mills to university contingent fund, 1905, No. 2; 3 cents to state prison interest and sinking fund.

3. *Collection—*

Property taxes are collected by the county treasurer, except that taxes on personal property not secured by real estate and taxes on the proceeds of mines are collected at the time of making the assessment by the assessor, who may enforce such collection by seizure and sale at public auction. Taxes on realty and on personalty secured by real estate are delinquent on the first Monday in December, and 10 per cent penalty is then added and collection is enforced by sale, or by suit in case the taxes exceed $300. Judgment is to be entered for 25 per cent in addition to the tax and a penalty of 10 per cent. Real estate is subject to lien for taxes due thereon and for taxes on the owner's personal property. Taxes on real and personal property may be paid in semiannual instalments, one-half by the first Monday in December and the remaining half prior to the first Monday in June. But if the first half is not paid by the first Monday in December, the whole tax is due and the penalty of 10 per cent is added. When the assessor of any county assesses personal property unsecured by real estate, he immediately collects the taxes on such property; and in case of a reduction being made by the board of equalization the taxpayer is entitled to a refund of the excess paid.

B. POLL TAXES.

Each male resident of the state over 21 and under 60 years of age (uncivilized American Indians excepted) and not by law exempt is required to pay an annual poll tax of $3 for the maintenance and betterment of the public roads.

The county assessor is ex officio poll tax collector. He may enforce collection by seizure of personal property and may sell on one hour's notice, or wages may be garnisheed and employers held responsible.

C. THE INHERITANCE TAX.

There is no inheritance tax.

D. CORPORATION TAXES.

The property of corporations is subject to taxation the same as that of individuals.

E. BUSINESS TAXES, LICENSES, AND FEES.

Insurance companies.—Fire, life, cooperative insurance association or mutual benefit society, and accident, annually, $100; casualty and surety, annually, $20. (Fines and penalties to be paid to state school fund. Licenses and fees to be collected by the comptroller and paid to the state general fund.) Liquor dealers, who sell in less quantities than 5 gallons, $50 per annum; retail drug store, in less quantities than 5 gallons, $12 per annum; wholesale liquor dealer in excess of 5 gallons, $100 per annum.

Foreign building and loan societies pay to state insurance commissioner an annual license fee of $100.

Fee for filing certificate of incorporation, $5; appointment of agent, certificate, $5; trade-marks, filing, $5; commission, notaries public, $10; great seal, $5. (These fees are to be paid into the library fund.) Corporations—filing certificate or articles of incorporation, increase of capital stock, consolidation or merger, 10 cents per $1,000 capital stock, in no case less than $10; extension or renewal of corporate existence, one-half the original amount; dissolution, changes, amended articles, decrease of capital stock, increase or decrease of par value of shares, $10; filing list of officers and directors or trustees and name of agent, $1; filing charter and statement of foreign corporation and issuing certificate of authority to transact business, $10; certification of laws, $2; all other certificates, $5.

Foreign life insurance companies pay to comptroller a fee of $5 for filing power of attorney for agent.

Physician—application to practice, $25.

Dentist—examination, $25; license, $2.

Pharmacy—application for authority to practice, $5; license, $10.

Embalmers—examination fee, not to exceed $10; renewal of license, $2.

Bar—examination and license, $25 (for benefit of state library fund).

The state engineer collects fees ranging from 50 cents to $25 for services performed in connection with water rights of the state.

License to practice optometry, $10.

Banks.—Annual license—capitalization of $25,000 or less, $100; $25,000 to $100,000, $150; $100,000 to $200,000, $275; $200,000 to $500,000, $400; $500,000 or over, $500 (to pay expenses of bank examiner).

F. THE INCOME TAX.

There is no income tax in Nevada.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the assessment and equalization thereof are the same for county taxes as for state.

2. *Rate—*

Beginning in 1905 there was placed in effect a law designed to bring about a reduction of the limit of tax levy by the counties for purposes other than the payment of interest and the maintenance of the county sinking fund.

This law provided for an annual reduction of the tax limit in counties having a tax levy in 1904 of less than $1.50 on the $100 assessed valuation, at the rate of 2½ cents on the $100 until such limit reaches 70 cents on the $100, which shall be the permanent limit.

In counties where the tax levy for 1904 exceeded $1.50 on the $100 of assessed valuation, the rate was to be reduced, annually, at the rate of 5 cents on the $100 until it reaches $1.50 on the $100, after which

the reduction shall be the same as in the preceding paragraph.

This law was modified by the act of March 1, 1911, which provides that:

In all counties whose tax rates for county purposes for the year 1910, exclusive of tax to pay the interest and maintain the sinking fund of the bonded indebtedness of such counties, did not exceed $1.05 on each $100 of assessed valuation, it shall be lawful for the board of county commissioners of such counties to fix the tax rate for such county purposes for the year 1911 at not exceeding $1.35 on each $100 of assessed valuation, and such board of county commissioners shall thereafter, during each subsequent year, fix such rate at a sum not to exceed $1.35 on each $100 of assessed valuation.

3. *Collection—*

Same as for state taxes.

On all moneys collected from personal property tax, poll tax, and the tax on the proceeds of mines by the several county assessors, there is reserved and paid into the county treasury, for the benefit of the general fund of their respective counties, by said county assessors, the following percentage commissions: First, on the gross amount of collections from personal property tax, six per cent; second, from poll tax, 10 per cent; third, from proceeds of mines, 3 per cent.

B. POLL TAXES.

The entire revenue derived from the poll tax less commission goes to the county for the maintenance of the road districts in the county where collected.

D. CORPORATION TAXES.

Corporations, etc., engaged in furnishing electric light, heat, or power to the inhabitants of any county, pay a franchise tax of 2 per cent of the net profits made by serving such inhabitants.

Public service corporations pay a franchise tax of 2 per cent of net profits to the county treasurer wherein located, for the benefit of the school fund of such county.

E. BUSINESS TAXES, LICENSES, AND FEES.

The county requires the following license taxes: Billiard tables, public, $5 per quarter; bowling alley, public, each $10 per quarter; theater—for less than one month, $5 per day; for one month, $20; for three months, $40; for one year, $75 (same fees for exhibitions of opera or concert singers). Circus, caravan, menagerie, $20 per exhibition; wire dancers and other exhibitions, $10 per day; pawnbrokers, per quarter, $100; intelligence office, per quarter, $15; brokers and savings banks—first class, business $250,000 per quarter, $100 per quarter; second class, business $200,000 per quarter, $80 per quarter; third class, business $100,000 per quarter, $50 per quarter; fourth class, business $50,000 per quarter, $30 per quarter; fifth class, business less than $50,000 per quarter, $20 per quarter (separate license for each establishment in the county). Bankers—first class, $500,000 per month, $200 per month; second class, $300,000 per month, $150 per month; third class, $200,000 per month, $100 per month; fourth class, $100,000 per month, $75 per month; fifth class, $50,000 per month, $50 per month; sixth class, $25,000 per month, $25 per month; seventh class, less than $25,000 per month, $12 per month. Common carrier engaged in transmitting gold dust or bullion, quarterly, $150. Merchants who deal in goods, wares, or merchandise, wines, and distilled liquors, except wines and distilled liquors produced from agricultural products of the state, when sold by the producer, pay quarterly license fees as follows: First class, average monthly sales $100,000, $50; second class, average monthly sales $75,000, $37.50; third class, average monthly sales $50,000, $25; fourth class, average monthly sales $40,000, $20; fifth class, average monthly sales $30,000, $15; sixth class, average monthly sales $20,000, $10; seventh class, average monthly sales $10,000, $7.50; eighth class, average monthly sales $5,000, $5; ninth class, average monthly sales $1,000, $3.75; tenth class, average monthly sales less than $1,000, $2.50. Liquor dealers, who sell in less quantities than 1 quart, $10 per month (one-half of such license moneys collected within corporate limit is to be paid into the city treasury); liquor dealers, who sell in less quantities than 1 quart, 1 mile outside of city limits, $15 per quarter. Taverns, hotels, innkeepers, restaurants, public boarding houses, eating stands, and all public lodging houses are licensed as follows: First class, $3,000 per month business, $45 per quarter; second class, $1,000 per month business, $15 per quarter; third class, less than $1,000 per month business, $7.50 per quarter. Peddlers and auctioneers, per month, $10; peddlers, wagon license, per month, $25; houses of amusement, per quarter, $500; (three-fourths of such money collected is paid into the county and one-fourth into the state treasury). Toll roads and bridges pay quarterly 2 per cent of their gross proceeds on a mileage basis. Insurance broker, quarterly license, $15; itinerant merchants and traders, monthly, $300; cigarettes or cigarette paper, quarterly, $15. Automobiles for hire or rent, $2.50 a month; sparring match, each exhibition, $1,000 (one-tenth of such license money shall be paid into county and nine-tenths into the state treasury); fishing and hunting—bona fide resident, $1 a year; citizen of the United States but not bona fide resident of state, $10 a year; not a citizen of the United States, $25 a year.

Private fish hatchery license fee, $10; dealers in fish, etc., taken from such hatchery, $2.50; funds to go to credit of game and fish preservation fund.

Sheep raising—first class, 5,000 sheep or over, $250 per annum; every additional 1,000, $50 per annum; second class, 4,000 and less than 5,000 sheep, $200 per annum; third class, 3,000 and less than 4,000 sheep, $150 per annum; fourth class, 2,000 and less than 3,000 sheep, $100 per annum; fifth class, 1,500 and less than 2,000 sheep, $75 per annum; sixth class, 1,000 and less than 1,500 sheep, $50 per annum; seventh class, less than 1,000 sheep, $25 per annum. Provisions do not apply to persons who hold land equal to 1 acre for three sheep, other than by lease. The sheriff is ex officio collector of licenses in his county and receives as commission—on each business license, 6 per cent; on each sheep license, 20 per cent, and $2, fee from person procuring license.

Stationary engineers pay a license fee of $5 to the county commissioners.

Every honorably discharged soldier, sailor, or marine of the United States, resident of the state, and a veteran of the Civil War, has a right to peddle, hawk, vend, and sell his own goods, and to engage in the business of auctioneering without paying license.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the assessment and equalization thereof are the same for town and city purposes as for state taxation.

2. *Rate—*

The city council of an incorporated city may levy annually a tax not exceeding 3 per cent upon the assessed value of all real and personal property within the city made taxable by law.

3. *Collection—*

Collection of municipal taxes is the same as for state.

B AND D. POLL AND CORPORATION TAXES.

There are no municipal poll or special corporation taxes.

Corporations, etc., engaged in furnishing electric light, heat, or power to the inhabitants of any town or city, pay a franchise tax of 2 per cent of the net profits made by serving such inhabitants.

E. BUSINESS TAXES, LICENSES, AND FEES.

The city council has power to fix and impose a license tax in towns and cities on the various lines of business and amusements conducted in the municipality and to levy a tax on dogs.

One-half of the license moneys collected on county licenses for the retail of liquors in less quantities than 1 quart goes to the municipality where the saloon is located.

School Revenues.

The state school fund is composed of the proceeds of the sale of school lands, all fines collected under the penal laws of the state, 2 per cent of the gross proceeds of all toll roads and bridges, and all escheats. The interest of this fund is divided semiannually among the several counties in proportion to the number of school children.

The board of county commissioners is to levy a county school tax of not more than 50 cents nor less than 20 cents on each $100.

School districts may vote to impose a tax for additional school facilities when the state and county money to which any district is entitled is not sufficient to maintain the school properly and for a sufficient number of months.

Under certain prescribed conditions the board of school trustees of any district is authorized to levy a tax not to exceed 25 cents on each $100.

The trustees may, upon proper vote, levy a tax not to exceed 25 cents on the $100, to supply free textbooks.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

A provision was made to increase the rate of tax for state loan, interest, and redemption fund from 1½ cents to 4 cents on each $100 of taxable property, commencing January 1, 1916.

Created a state tax commission composed of three members. The first associate commissioner of the railroad commission shall be chairman, and the other two shall be appointed by the governor. After the year 1915 each succeeding commissioner shall hold office for four years.

Abolished the office of state license and bullion tax agent.

Inheritance tax.—When the property or interest therein or income therefrom so passed or transferred exceeds in value the exemption hereinafter specified and shall not exceed in value the sum of $25,000, the tax hereby imposed shall be: (1) Where the person or persons entitled to any beneficial interest in such property shall be husband, wife, lineal issue or lineal ancestor or adopted child, the rate shall be 1 per cent of the clear value of such interest; (2) brother or sister, or a descendant of a brother or sister of the decedent, a wife or widow of a son, or the husband of a daughter of the decedent, the rate shall be 2 per cent; (3) brother or sister of the father or mother, or a descendant of a brother or sister of the father or mother of the decedent, the rate shall be 3 per cent; (4) brother or sister of the grandfather or grandmother or a descendant of the brother or sister of the grandfather or grandmother of the decedent, the rate shall be 4 per cent; (5) any other degree of collateral consanguinity than hereinbefore stated, or a stranger in blood, or a body politic or corporate, the rate shall be 5 per cent. The foregoing rates are, for convenience, termed "primary rates." Upon all in excess of $25,000 to $50,000, twice the primary rates; $50,000 to $100,000, three times the primary rates; $100,000 to $500,000, four times the primary rates; over $500,000, five times the primary rates.

Exemptions allowed.—Property of the clear value of $20,000 transferred to widow or a minor child of the decedent, and $10,000 to all others in first subdivision, $10,000 to all in the second, $5,000 to all in the third, and none to those in the fourth and fifth.

This tax becomes due and payable at the death of the decedent; if paid within 6 months a discount of 5 per cent is allowed, but if not paid at the end of 18 months, interest at the rate of 10 per cent is added from the date of accrual.

The revenue derived from this tax is apportioned as follows:

Twenty per cent to the general fund of the county in which collected; 40 per cent to the state school fund, and 40 per cent to the general fund of the state.

The state tax for 1913 as fixed by the state legislature was 66 cents, distributed as follows: General fund, 40.1 cents; state loan interest and redemption fund, 1.5 cents; general school fund, 6 cents; territorial interest fund, 2.4 cents; 1915 exposition fund, 6 cents; contingent university fund, 8 cents; Nevada school of industry fund, 2 cents.

Provision was made for the payment of certain fees by candidates or party committees filing certificates of nomination, ranging from $10 to $100.

Motor vehicles, 12½ cents per horsepower; minimum rating, 20 horsepower. Liquors—retail dealers selling in quantities less than 5 gallons, $100 per annum; retail drug stores in same quantity, $25 per annum; wholesale dealers, in quantities in excess of 5 gallons, $150 per annum.

Optometry.—Examination, $25; registration, $5; renewal of registration (annually), $2. (Funds for use of the board.)

Pharmacy.—Examination and registration, $10; first reexamination, $5; second reexamination, $3; assistant, examination and registration, $5; annual registration fee, not to exceed $2; certificate in lieu of lost certificate, $3. Permit to general dealers in rural districts to sell medicines, etc., annual fee, $8. (Funds paid into state treasury.)

Stallion and jack—examination, $10; renewal, $2.

Itinerant vendors, $10 per month; if wagon and one or more animals is used, $25 per month. Circus, caravan, or menagerie, $20 per exhibition, not hereinbefore enumerated, $10 per day. Sparring match, $100 each exhibition. Hunting and fishing—bona fide residents, $1 a year; citizen of the United States not a bona fide resident, $10 a year; not a citizen of the United States, $25 a year; for fishing (only good 30 days), $2.

For the fiscal years commencing January 1, 1913 and 1914, ad valorem tax of 2 cents on the $100 is authorized for purpose of establishing a state institution for delinquent boys.

Mortgages, etc., are deemed as an interest in the property thereby affected, except as to railroad and other quasi public corporations, and the assessment of the property is considered as the assessment of such mortgage, etc.; either party may pay the tax.

The county commissioners are authorized to levy a tax not to exceed 1½ per cent in unincorporated towns for the benefit of the fire department.

NEW HAMPSHIRE.[1]

New Hampshire depends mainly upon the combined property and poll tax for state, county, and municipal revenues. State and county taxes are apportioned to the towns, which are held responsible for their assessment and collection, except the taxes on railroad, express, and car companies, and telegraph and telephone companies, which are assessed and collected by the state authorities. There are some special corporation taxes on insurance companies and savings banks, and there is an inheritance tax.

CONSTITUTIONAL PROVISIONS.

ART. 12. Every member of the community has a right to be protected by it in the enjoyment of his life, liberty, and property. He is, therefore, bound to contribute his share in the expense of such protection and to yield his personal service, when necessary, or an equivalent.

ART. 28. No subsidy, charge, tax, impost, or duty shall be established, laid, or levied without the consent of the people or their representatives in the legislature, or authority derived from that body.

ART. 5. Full power and authority are hereby given and granted to the general court * * * to impose and levy proportional and reasonable assessments, rates, and taxes upon all the inhabitants of and residents within the state, and upon all estates within the same. * * *

ART. 6. The public charges of government, or any part thereof, may be raised by taxation upon polls, estates, and other classes of property, including franchises and the transfer or succession of property, by will or inheritance; and there shall be a valuation of the estates within the state taken anew once in every five years at least, and as much oftener as the general court shall order.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Selectmen of towns, three chosen at the annual meeting.

(2) Assessors, also elected at town meeting, who constitute, with the selectmen, a joint board for the assessment of taxes.

(3) Town collectors, chosen at the annual town meeting.

(4) City assessors, chosen in each ward as may be prescribed by city ordinances, who form a board and perform all duties required of selectmen and assessors of towns.

(5) "County convention," which consists of the representatives of the towns of the counties.

(6) County commissioners, three elected biennially.

(7) The state tax commission, consisting of three members appointed by the supreme court and commissioned by the governor.

(8) State board of license commissioners, consisting of three members appointed by the governor.

STATE REVENUES.

A AND B. GENERAL PROPERTY AND POLL TAXES.

The state levy of general property taxes is apportioned to the towns and raised by them in the same manner as their own revenues. The poll tax constitutes an integral part of this tax and can not be described separately. Polls are put in the "invoice" upon which "all taxes" are assessed at 50 cents each, and taxable property at 50 cents on each $100 of its appraised value. This gives polls a quasi property valuation equal to $100.

1. *Base*—

The base is the invoice as described above.

a. The property included and exempt, and polls.—Such property, real and personal, within the jurisdiction of the state, as is expressly enumerated as taxable in the statutes. All other property is exempt, as are also certain items in the enumerated classes, as shown below.

The polls included are all males from 21 to 70 years of age, not specifically exempt.

Those whose polls are not included are:

Paupers and insane; soldiers or sailors of the War of the Rebellion, if honorably discharged or pensioned; and at the discretion of the selectmen, soldiers or sailors who served in the Spanish-American War and are disabled in consequence of such service.

The enumerated classes are:

(1) Real estate, whether improved or unimproved, and whether owned by residents or nonresidents; real estate includes lands, tenements, and hereditaments, and all rights thereto and interests therein; buildings, mills, carding machines, factory buildings and machinery, wharves, ferries, toll bridges, locks and canals, and aqueducts, any portion of the water of which is sold or rented for pay; lands, dams, canals, water power, buildings, structures, machinery, dynamos, apparatus, poles, wires, fixtures of all kinds and descriptions owned, operated, and employed by any private corporation or person not a municipal corporation in generating, producing, supplying, and distributing electric power or light; also the property of any railroad, railway, express, telephone, telegraph, sleeping, dining, parlor, and private car companies.

(2) Personal estate liable to be taxed is: Stock in public funds, including all United States, state, county, city, or town stocks or bonds and all other interest-bearing bonds not exempt from taxation by the laws of the United States; stock in corporations in the state, except where the property represented by the stock is taxable directly to the corporation; stock in corporations located outside of the state, owned by persons living in the state, except where either the stock or the property represented by it is taxed in the towns or states where the corporations are located; money on hand or at interest more than the owner pays interest for, including money deposited in any bank other than a savings bank, or loaned on any mortgage, pledge, obligation, note, or other security whether on interest or interest be paid or received in advance, but excepting money loaned at a rate of interest not exceeding 5 per cent per annum secured by a note and mortgage on real estate situate in this state; stock in trade, whether of merchants, shopkeepers, mechanics, or tradesmen, at the average value for the year; raw materials and manufactures of any manufactory, wood, timber, logs, and lumber, if exceeding $50 in value; fishing vessels, steamboats, house boats, or other vessels for the transportation of passengers or freight and seagoing vessels; vehicles the aggregate value of which exceeds $100; horses, asses, and mules over 18 months old; sheep over 1 year old, and hogs over 6 months old, but 2 hogs for each family are exempt; oxen, cows, and other neat stock over 18 months old; fowls of every description exceeding $50 in value; wood, bark, timber, logs, manufactured or unmanufactured, exceeding $50 in value; the net yearly income of

[1] This compilation is derived mainly from the following sources: Appendix to the report of the tax commission of 1908, containing the laws in force in 1908. Session laws of 1909, 1911, and 1913.

ships and vessels engaged in the foreign carrying trade for at least 10 months of the year preceding the annual assessment; all boats and launches the aggregate value of which exceeds $100; portable mills; studhorses or jackasses for the use of mares.

(3) The exemptions are, in addition to public property: Houses of worship, parsonages to $2,500, schoolhouses, seminaries of learning, public cemeteries, and all property held in trust for the benefit of public places for the burial of the dead; the real estate and personal property of charitable associations; land and buildings belonging to the army and navy association of Portsmouth; property to the amount of $1,000 of any soldier or sailor who served 60 days in the Army of the United States during the War of the Rebellion and was honorably discharged, and the wife or widow of the same, provided the aggregate value of the property is not over $3,000; the improvement caused by reclaiming swamp or swale land, for 10 years; by the vote of a town, for 10 years, any new manufacturing establishment; undeveloped mines, unless belonging to others than those to whom the real estate is taxed; all public stocks and bonds; stock in corporation not for profit; materials to be used in shipbuilding; money loaned to a town by a citizen thereof at a rate of interest not exceeding 5 per cent, by a vote of the town; railroads not 10 years in use; any city, town, precinct, or village district may exempt from taxation any future issue of its bonds, owned or held by its own citizens; new state hospital bonds; licensed billiard or pool tables and bowling alleys; also the minimum values of different classes of property and the under-age domestic animals mentioned in paragraph (2) preceding.

Abatements are allowed as follows: Landowners planting timber trees upon their land have a rebate for the first 10 years after planting of 90 per cent of all taxes assessed upon the land; for the second 10 years, 80 per cent; for the third 10 years, 50 per cent; the selectmen may make reasonable deductions from the appraisals of the estates of the insane when the income from the property is not sufficient to support them; the selectmen shall abate a sum not exceeding $3 from the tax of any inhabitant who shall construct and maintain a watering trough for horses; also a reasonable deduction for planting and protecting shade trees by any highway; also for the use of wide-tired wagons.

b. Assessment.—The assessment of all polls and property, except that of railroads, railways, telegraph, telephone, express, dining, sleeping, parlor, and private car companies which are assessed by the state tax commission, and except savings banks, trust companies, loan and trust companies, loan and banking companies, building and loan associations, and other similar companies, which report to the state treasurer, is made by the selectmen and the assessors of the towns and cities. The roll is known as the "invoice" of polls and property. It is made up as of April 1 in each year. Each taxpayer is required to furnish a sworn inventory of his property. The penalty for omitting the inventory or for a false inventory is doomage of four times as much as the property would be appraised at, if duly returned. The oath of the taxpayer does not cover the value of the property which is to be appraised by the selectmen. The appraisal is to be at its full value in money, or at the rate at which the property would be taken in payment of a just debt due from a solvent debtor.

Polls are set in the invoice at 50 cents each, and property at the rate of 50 cents for each $100 of the appraised value.

A new invoice is made every year and a new appraisal of all property, including real estate. But the state taxes are apportioned among the towns and cities only once in two years, the apportionment holding during the interim.

The following items are set in the invoice separately: Improved and unimproved lands, buildings separately assessed, mills, carding machines, factories and their machinery, wharves, ferries, toll bridges, locks and canals, aqueducts, stocks in public funds, shares in banks and in other corporations, money on hand, at interest, or on deposit, stock in trade, carriages, horses, asses, and mules, cows, oxen, and other neat stock, sheep, hogs, and fowls.

Mortgages are assessed as money at interest, and no deduction is allowed from the appraised value of the property mortgaged. In appraising the value of the shares of the capital stock of corporations a just proportion of the assessed value of any property otherwise taxed is to be deducted. Shares are assessed to the owner where he resides, if in the state; otherwise, at the principal place of business of the corporation.

The railroads, as well as all telegraph and telephone lines and the property of car companies and express companies, are assessed by the state tax commission upon the actual value of their property and estate used in their ordinary business which would not be exempt from taxation if owned by a natural person or ordinary business corporation, and the companies pay to the state the tax thereon at a rate as nearly equal as may be to the average rate on other property (excepting property specially taxed, savings bank deposits, and polls) throughout the state. The assessed valuation of railroads is not apportioned among the towns, but the proceeds of the taxes are distributed as follows: (1) To the towns in which any railroad is located, one-fourth of the taxes paid by the railroad corporation, of which each town receives its proportion according to the share of the capital expended in each town for buildings and right of way; (2) to each town in which any stock is held, such proportion of the remainder as the number of shares owned therein bears to the whole number of shares; (3) the remainder for the use of the state.

Selectmen are required to list the shares of railroad stock held by inhabitants of their town. If they fail to do so their town is, presumably, not entitled to its share of the railroad taxes to be apportioned on the stock.

All shares of stock in banks (private, state, or national), except savings banks, building and loan associations, and the like otherwise taxed, are assessed to the owners in the towns where they reside at the value shown by the capital, surplus, and undivided profits, after deducting the real estate. The bank pays the taxes on the shares for nonresident stockholders and has a lien on the stock and on the dividends to secure repayment.

The property of express companies doing business in the state is assessed by the state tax commission on the basis of annual statements furnished by the companies. The same method applies to the property of telegraph and telephone companies, to the cars of sleeping, dining, and parlor car companies, and the rate is to be the average rate of taxation on all property in the state. The proceeds of these taxes are retained by the state, except in so far as they may enter into some of the special funds that are apportioned to the towns or schools.

All of the property and fixtures used by a person or corporation in producing and distributing electric light and power are assessed as real estate in the towns where it is located.

All boats and launches the aggregate value of which exceeds $100 are taxed to the owner where the property is located on the 1st day of April.

c. Equalization.—Selectmen may, for good cause shown, abate any tax assessed by them or their predecessors. If they refuse, the taxpayer may appeal to the supreme court of the county.

The state tax commission in the year 1912 and every second year thereafter equalizes the valuation of the

property in the several towns and cities in the state by adding to or deducting from the aggregate valuations of the property in towns and cities such sums as will bring said valuations to the true and market value of said property, so that any public taxes that may be apportioned among them shall be equal and just as between them.

2. *Rate*—

State, county, and town taxes are levied together by the selectmen of the town. State taxes levied in a lump sum ($800,000 in 1912; $600,000 in 1913) are apportioned by the state legislature to the several towns on the basis of their valuations as equalized by the state tax commission, but the taxes are levied on the local assessment. There is thus no universal and distinct state rate. The apportionment of public taxes, according to the valuations of the polls and ratable estates in the several towns is made every fourth year (1911, etc.). The legislature specifies the amount and time of payment of the tax for each of two fiscal years.

The rate on railroad, telegraph, telephone, car, and express companies is fixed by the state tax commission. It is to be the average rate levied upon property throughout the state, ascertained by dividing the total amount of taxes levied by the total appraised value of property and polls entered in the invoice.

3. *Collection*—

In general, all taxes, state and local, except those on railroads, etc., are collected by the town collectors. The collector may distrain on goods and chattels, and, if necessary, take the body. The lien for taxes on real estate attaches as of the 1st day of July after the assessment.

Any town which neglects to choose officers for assessing and collecting taxes becomes liable to an extent for state and county taxes, which may be levied on the property of any inhabitant or owner of property therein, if no estate of such town be found whereon to levy the same. Extents may also issue against any officers concerned in taxation who fail in their duties.

Taxes on railroad, telegraph, telephone, car, and express companies are paid to the state treasurer and apportioned to the towns as explained under "b. Assessment."

Interest at 10 per cent is charged on all taxes not paid on or before the 15th of October.

B. POLL TAXES.

Combined with the general property tax. (See above.)

C. THE INHERITANCE TAX.

All property within the state passing by will or the intestate laws of the state, or by deed, grant, sale, or gift, intended to take effect in possession after death of the grantor, to any person except the father, mother, husband, wife, brother, sister, lineal descendant, adopted child, lineal descendant of adopted child, son-in-law or daughter-in-law, or to charitable, educational, religious, cemetery, or other institutions, societies, or associations of public charity in the state, or for or upon trust for any charitable purpose in the state, or for the care of cemetery lots, or to a city or town in the state for public purposes, is subject to a tax of 5 per cent of its actual value. If the bequest is to one of the persons mentioned above for life or for a term of years with remainder to others, the value of such remainder shall be appraised and subject to a tax of 5 per cent of its value.

The state treasurer may appoint a suitable person to appraise the property at its actual market value if the executor or administrator fails to file an inventory or if he is not satisfied with the inventory filed. The tax is payable to the state treasurer by the executors at the expiration of two years after the date of their giving bond. If not paid when due, interest at the rate of 10 per cent is added.

The state treasurer, with the approval of the attorney general, may effect a settlement of the inheritance tax in case of a contingent bequest or where life tenant has power to appoint.

D. CORPORATION TAXES.

Corporations in general are taxed under the general property tax, as described above.

Savings banks, trust companies, loan and trust companies, loan and banking companies, and other similar corporations are required to pay an excise tax of three-fourths of 1 per cent upon the amount of savings deposits on which they pay interest, after deducting the value of all of their real estate, the value of all their loans secured by mortgages made at a rate not exceeding 5 per cent per annum and the amount invested in state, county, municipal, or school district bonds bearing interest at a rate not exceeding 3½ per cent; and such companies are, in addition, to pay a further excise tax of 1 per cent per annum on special deposits or capital stock after deducting the value of all real estate.

The state treasurer pays, to each town in which depositors or stockholders of any such corporation reside, the taxes so assessed upon the deposits and stock of residents of such town.

Building and loan associations pay annually a tax of three-fourths of 1 per cent upon the whole amount paid in upon capital stock after the same deductions allowed to savings banks. This tax is paid by the state treasurer to the towns where associations are located.

Stock fire insurance companies of this state are taxed annually 1 per cent on the amount of their paid-up capital on April 1. The state treasurer distributes to each town in the state such proportion of three-fourths of the tax so paid as the shares of stock owned in the town bear to the whole number of shares. The state retains for its own use what is undistributed.

Taxes so assessed upon savings banks, trust companies, loan and banking companies, building and loan associations, and upon stock fire insurance companies of the state are in lieu of all taxes, except on real estate, against the corporations, their stockholders, and depositors.

Every foreign fire, marine, fidelity, and casualty insurance company is required to pay to the state treasurer a tax of 2 per cent per annum upon the gross premiums received by it upon business done in the state less return premiums and reinsurance in authorized companies.

Foreign life insurance companies pay a tax of 2 per cent upon gross premiums less payments to residents for death losses within the year, provided that the tax shall not be less than 1½ per cent of the gross premiums received during the year.

The expenses of the public service commission are met by a tax levied on the gross receipts of the railroads.

Every trading-stamp company shall pay a license of not less than $250 nor more than $1,000, to be determined by the governor and council. Every distributor of trading stamps shall pay an excise tax of 3 per cent of the gross receipts from the sale of articles with which stamps are given. Trading-stamp companies shall pay 10 per cent of the gross amount received from the sale of such trading stamps.

E. BUSINESS TAXES, LICENSES, AND FEES.

Peddlers—for each town, annually, $1, fee of secretary of state; and the following amounts for the benefit of the town: For each town of 1,000 inhabitants or less, annually, $5; for each town of 1,000 to 2,000, annually, $8; for each town of 2,000 to 3,000, annually, $10; for each 1,000 in excess of 3,000, annually, $1; or general license for entire state, annually, $50 with a fee of $2 for the secretary of state. Itinerant vendors, annually, $25; salesmen of lightning rods, annually, $300; manufacturers of fertilizers, annually, $50; also analysis fees of $10 for phosphoric acid, $5 for nitrogen, and $5 for potash, but the fee for any brand does not exceed $15. Dealers in commercial feeding stuffs, an analysis fee of $15 annually. Nonresident hunters, $10; resident hunters, $1. Insurance brokers, $10. Guides, $1; nonresidents for guide license, $20.

Liquor licenses.—Innholders, $25 to $1,000; sold in quantities less than 5 gallons, $250 to $1,200; any kind of liquor not to be drunk on premises, $100 to $800; malt liquors, cider, or light wine, not over 15 per cent alcohol, to be drunk on premises, $150 to $600; druggists and dealers for medicinal, mechanical, and chemical uses only, $10; if sold otherwise, as provided by law, $50 to $500; railroad restaurants, malt liquors, cider, or light wine, $50 to $200; associations furnishing food and lodging to their members, $100 to $300; distillers, brewers, and bottlers to sell in packages for distribution to the trade, $300 to $2,000; common victualers, to be drunk on premises, $300 to $1,200.

Motor vehicle annual registration.—For motor cycle, $3; commercial motor vehicle and motor truck, $10; automobiles not exceeding 15 horsepower, $10; 15 to 30 horsepower, $15; 30 to 40 horsepower, $20; 40 to 50 horsepower, $25; 50 to 60 horsepower, $30; 60 horsepower and over, $40; substitute registration for motor vehicle previously registered, $2; nonresident, one-half of foregoing fees; manufacturer and dealer, $40; in excess of one for hire, one-half of above fee; operator's original license and examination, $3; chauffeur's original license, examination, and badge, $5; subsequent operator's and chauffeur's license, $1; additional copy of certificate of registration or license, 50 cents; additional number plate, $1.

By the secretary of state.—Charters are granted to corporations by special acts of the legislature, on payment of fees as follows: Savings banks, $100; other banks, one-tenth of 1 per cent of capital; railroad and insurance companies, one-twentieth of 1 per cent; other business corporations, $50; amendments, $25; corporations to do business elsewhere, according to capital, $10 to $200.

By the insurance commissioner.—Foreign insurance companies—filing charter, $25; filing annual statement, $15; filing license and each renewal, $5. On payment of a fee of $2, the insurance commissioner may issue an annual license permitting the licensee to insure his property in foreign companies not authorized to do business in the state; such licensee later paying to the state treasurer 2 per cent on the gross annual premiums, less return premiums, paid by him for such insurance.

For medical examination and license—for all except matriculates of New Hampshire Medical School, $10; for matriculates of the New Hampshire Medical School, $5. Beneficiary societies, $5. For dentistry certificate, $10; for pharmacist certificate, $5; for assistant pharmacist certificate, $2; for embalmers—examination, $5, registration, $1; for optometry certificate, $20; for certificate of exemption from optometry examination, $10.

F. THE INCOME TAX.

There is no income tax in New Hampshire.

County Revenues.

A AND B. GENERAL PROPERTY AND POLL TAXES.

1. *Base*—

The property and polls included and the method of assessment and of equalization are the same as those of the state already described.

2. *Rate*—

The county treasurer issues his warrant to the selectmen of the several towns in the county requiring them to assess, collect, and pay over their just proportions of all taxes granted by the county conventions.

3. *Collection*—

Collection from the town may be enforced by the county treasurer in the same manner as by the state treasurer for state taxes.

C, D, AND E. THE INHERITANCE TAX, CORPORATION TAXES, AND BUSINESS TAXES, LICENSES, AND FEES.

The inheritance tax accrues for the benefit of the state only, and there are no corporation taxes or business taxes, licenses, and fees in the county

Municipal Revenues.

A AND B. GENERAL PROPERTY AND POLL TAXES.

1. *Base*—

The property and polls included and the method of assessment and of equalization are in general the same as for state taxes. The invoice for all taxes is taken by the selectmen of the towns or by the assessors of the cities and the appraisal made by them.

2. *Rate*—

The selectmen assess all taxes duly voted in their towns and all school and village district taxes authorized therein. These may be levied in one assessment with the state and county taxes. Towns may also raise money at town meetings for municipal purposes.

Each town shall annually raise for the repair of highways and bridges a sum not less than one-fourth of 1 per cent of the valuation of the polls and ratable estate; and in addition to said sum as much more as they deem necessary, provided that no town shall be required to raise more than $50 per mile.

3. *Collection*—

Municipal taxes are collected in the same manner and by the same official as state and county taxes.

C. THE INHERITANCE TAX.

The inheritance tax does not accrue to the towns and cities.

D. CORPORATION TAXES.

See state revenues.

E. BUSINESS TAXES, LICENSES, AND FEES.

City councils or the selectmen of towns may license: Pawnbrokers; public shows, and exhibitions, $1 to $300 per day (if in a hall, $1 to $50); billiard tables and bowling alleys, $10 per year; same in summer hotels, $4 (when licensed they are exempt from taxation); dogs, male, $2; dogs, female, $5; breeders of dogs, $12 to $25; peddlers, per year, $5 to $10; itinerant vendors, 2 per cent of value of goods in stock; plumbers, 50 cents annually.

SCHOOL REVENUES.

Each town constitutes a school district. The selectmen may assess taxes on the property subject to town taxes, but may make a new invoice.

The statutes provide that the selectmen in each town are to assess annually "upon the polls and ratable estate therein a sum to be computed at the rate of $750 for every dollar of the public taxes apportioned to such town." Towns may, however, raise more.

In order to equalize the school facilities and to assist in providing adequate supervision the state makes an annual appropriation which is apportioned to the towns according to the average assessed valuation per pupil of average attendance. For the school year 1912 the amount appropriated was $115,000.

The proceeds of all taxes collected by the state upon the deposits and stocks, in savings banks and in similar corporations, of persons who do not reside in the state are known as the "literary fund," and the "fund" so constituted is distributed among the towns in proportion to the number of scholars, and all money arising from dog license fees, which is not paid out for damages to domestic animals by dogs, is applied to the schools.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

The exemption age of horses, asses, and mules, and of oxen, cows, and other neat stock was raised from 18 to 24 months.

A poll tax of $2 was imposed on every male inhabitant of the state from 21 to 70 years of age, whether a citizen of the United States or alien, except paupers, insane persons, and others exempt by special provision of law.

Money loaned for school purposes in school districts at a rate not exceeding 5 per cent; property of educational, charitable, religious institutions, and temperance societies; bonds or notes of the state and of any of the counties, municipalities, school districts, and village precincts of the state, bearing interest at a rate not exceeding 5 per cent was exempted from taxation.

Changes in motor vehicle annual registration.—Nonpassenger carrying commercial motor vehicle or truck, not more than 1 ton capacity, $10; 1 to 2 tons, $12.50; 2 to 5 tons, $15; more than 5 tons, $20; automobiles, used exclusively in carrying passengers for hire, $10; motor vehicles owned or controlled by a manufacturer or dealer, $25; when let for hire, $10 additional.

NEW JERSEY.[1]

New Jersey has practically achieved a separation of state from local taxation as to sources of revenue. The one exception is the state school tax. The state derives its revenues mainly from: (1) Taxes levied on railroad and canal property; (2) taxes levied on the capital stock of miscellaneous corporations, including a large number which, although incorporated in New Jersey, do not carry on business there; (3) a collateral inheritance tax; (4) taxes on banking and insurance companies; and (5) miscellaneous fees and income from state property. The revenue from these five sources has for several years been so ample that the state has been able not only to meet its own expenses therefrom, but also to make liberal appropriations in aid of local school districts. (6) There is levied by general law on ratable property as assessed in the local taxing districts a so-called state school tax. Ninety per cent of the proceeds of this tax is returned to the school districts as soon as received; the remainder, constituting the reserve fund, is apportioned to the counties, together with additional moneys from the state treasury derived from other sources.

[1] This compilation is derived mainly from the following sources:
Tax Law of New Jersey, revision of 1903, with annotations, amendments, and supplements to 1905; prepared by the board of equalization of taxes.
Session Laws, 1903 to 1913.

While, as above explained, the general property tax is used primarily for local purposes, it is assessed, levied, and collected under general and uniform laws and under the strict control and supervision of the state board of equalization and its agents, and the county boards of taxation.

The "main stem," the franchise, and the rolling stock of railroad and canal property are withdrawn from local taxation. All other corporations are taxed in the same manner as private individuals, and public service corporations using the public streets or highways pay a tax to the municipalities on their gross earnings, in addition to the taxes levied on their property.

The general tax law was extensively revised in 1903 and again in 1905, and in 1906 the general system was fundamentally changed by the introduction of the county boards of taxation. The laws concerning the state tax on railroads and the local gross earnings tax on public service corporations have been amended many times since the census digest of 1902 was compiled.

CONSTITUTIONAL PROVISIONS.

ARTICLE IV.

SEC. 7, par. 12. Property shall be assessed for taxes under general laws and by uniform rules, according to its true value.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Assessors under various titles, but the general tax law provides that the term "assessor" shall apply to all officers charged with the assessment of taxes.

In the townships and towns these assessors, one in each, are elected, for the most part, for a term of three years; in the smaller cities there is usually one assessor only, but in some there are two or more ward or district assessors. These are in some cities elected and in others appointed by the mayor or by the council—their term is usually three years when elected, one year to three years when appointed; in the larger cities there are boards of assessment of from three to five members (Elizabeth, 12), variously appointed. If the proper local authority fails to elect or appoint an assessor the governor may appoint.

(2) County boards of taxation, composed of three members, appointed by the governor for three years. These boards, under supervision and direction of the state board of equalization, act as boards of review and of equalization for the counties and have control over the assessors.

(3) The state board of assessors, composed of four members appointed by the governor for a term of four years, constitutes the board of assessment for certain classes of railroad and canal property and for certain classes of corporations taxed on gross earnings for local purposes.

(4) The state board of equalization of taxes, composed of five members appointed by the governor for a term of five years.

(5) Tax collectors, sometimes called receivers of taxes, one in each township, town, and city, elected for three years in townships, towns, and smaller cities, and variously appointed in larger cities.

(6) County collectors or treasurers, elected for three years by the county board of chosen freeholders, who receive the funds collected by the district collectors for county, state (if any), and state school purposes and remit the state tax to the state treasurer.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

With the exception of a levy for school purposes, the state does not levy a tax on real and personal property generally, although it still retains the right so to do. If such a tax should be necessary, it would be apportioned among the counties in proportion to the property therein as assessed by the local assessors. Certain kinds of railroad and canal property, known popularly as the "main stem," are assessed by the state board of assessors and taxed for state purposes, a part of the revenue being distributed to the local taxing districts. As this is not considered an integral part of the general property tax, although in some respects resembling that tax, it is treated under Corporation taxes.

1. *Base*—

a. The property included and exempt.—All property, real and personal, within the jurisdiction of the state, not expressly exempted by law, is subject to taxation.

Real and personal property are not specifically defined for purposes of taxation. The general definitions given in the statutes are:

(1) Real estate includes all lands and all waterpower thereon; all buildings and trees; all mines, quarries, peat and marl beds; and all fisheries.

(2) Personal estate includes all goods and chattels, debts, and public and corporate stock, whether said personal estate be within or without the state.

(3) Exemptions: Bonds of the United States, of the state, and of its political subdivisions; property of the United States, of the state, and of the several counties, schools and taxing districts when used for public purposes; personal property out of the state and taxed where located; all property of the national guard used solely for military purposes; all buildings actually used for colleges, schools, academies, seminaries, associations and corporations, organized exclusively for the moral or mental improvement of men and women, or for religious, charitable, benevolent, or hospital purposes, not conducted for profit; all buildings actually and exclusively used for public libraries, religious worship, or for asylums or schools for feeble-minded or idiotic persons and children, and owned by corporations of this state authorized to carry on such charities; the land whereon the same are situate necessary to the fair use and enjoyment thereof, not exceeding 5 acres in extent for each; the furniture and personal property used therein; the endowment; all buildings used exclusively for purposes considered charitable under the common law, or belonging to any association or corporation formed for the purpose and actually engaged in the work of preventing cruelty to animals, with the land whereon the same are erected, necessary for the fair enjoyment thereof, and the furniture and personal property used therein; the funds of all charitable and benevolent institutions and associations collected and held exclusively for the sick and disabled members thereof, for the widows of deceased members, or for the education, support, and maintenance of children of deceased members, and all endowments and funds held and administered exclusively for charitable, benevolent, religious, or hospital purposes within the state (the buildings hired for rental paid to a landlord are not exempt); parsonages up to $5,000, including the value of land; shares of stock in corporations having special contract for exemption; and the shares of stock of any corporation of the state, the capital or property whereof is made taxable to and against said corporation; graveyards not exceeding 10 acres of ground and cemeteries and buildings for cemetery use erected thereon; real and personal property of firemen's associations and of volunteer fire companies; mortgages on property which is exempt from taxation; bonds of biological and fish stations; savings bank deposits; offices and franchises and all property used for railroad and canal purposes, the taxation of which is provided for by any other law of this state. Exempt property is listed by the assessors.

b. Assessment.—All property, except certain classes of railroad and canal property assessed by the state board of assessors, is assessed annually by the local or district assessors in each "taxing district," which is defined as the township, village, town, city or ward or district in the city, in which it is located, except intangible personal property which takes the situs of its owner. The assessment refers to the 20th day of May and the valuation must be completed before the third Monday of August. Real estate is to be assessed at the "full and fair value" or "at such price, as in the judgment of the assessor, it would sell for at a fair and bona fide sale by private contract." Personal property is to be assessed at its "true value," which term has been defined by the courts to be equivalent to fair market or selling value. The assessor may call on every inhabitant for a statement of his ratable real property. The penalty for refusal to render such statement or for rendering a false statement is an assessment "at the highest value he (the assessor) has reason to suppose it may be placed." Land and improvements are by order of the state board of equalization, separately assessed. Personal property is to be ascertained by the assessor "by diligent inquiry and by the oath of persons to be assessed."

Certain classes of railroad and canal property subject to local taxation, are assessed by the state board of assessors.

No mortgage or debt secured by mortgage on real property which is taxed, shall be listed for taxation, and no deduction from the assessed value shall be made on account of a mortgage. The parties to a mortgage may agree as to who shall pay the tax on that part of the property covered by the mortgage. A mortgage on personal property may be listed if the owner of mortgaged property claims deduction.

The taxpayer has the right to claim deduction, from the aggregate of his personal property, of all debts due persons residing in the state, but in making such claim for deduction he must list his creditors and state the amounts owing them.

Corporations, except as specifically provided otherwise, are treated as residents or inhabitants of the taxing districts where their chief office is located. Their real and personal property is assessed in the same manner as other property. With the exception of banks (national, state, and trust companies) the shares of stock of corporations are not taxable as such, the property which they represent being taxed to the corporations.

Shares of stock in national and in state banks are assessed against the stockholders in the taxing district where they reside, those of nonresident holders being assessed where the bank is located. The bank pays the taxes on nonresident shares and has a lien on the stock and dividends to ensure reimbursement. The real property of banks is assessed to the bank and the amount thereof deducted before the value of the shares is determined.

Life insurance companies resident in the state are taxed in the same manner as other corporations and in deducting their debts are allowed to deduct, not the face of the policies, but their present value. Fire insurance companies are taxed on the full amount of capital stock paid in and the accumulated surplus, less real estate as separately assessed.

Stock insurance companies, other than fire and life, shall be assessed in the taxing district where their principal office is situated, in the same manner as fire insurance companies are assessed. The real estate is assessed in the district where located. The amount of the real estate assessment shall be deducted from any assessment made upon the capital stock and accumulated surplus. No franchise tax shall be imposed upon any such company.

A dog tax is levied and collected in connection with the property tax. Persons keeping one dog above the age of 6 months pay a tax of 50 cents, and for each additional dog, $1. This law applies to all taxing districts of the state except cities.

c. Equalization.—Since 1891 the state has exercised a very extensive control over the assessment made by the local assessors. This control, since 1905, is exercised by the state board of equalization, through the county boards of taxation. The county board is a body organized expressly to aid the state board in equalizing taxes.

The assessors on completing their lists have to attend personally before the county board for revision and correction. The county board also hears appeals by taxpayers and acts as a board of review. The decisions of the county boards are subject to appeal to the state board. The county boards have power to compel the attendance of witnesses and may report inefficient or incompetent assessors to the state board, which has power of dismissal. They exercise the power of revision formerly vested in the district commissioners of appeal and in the old county boards of equalization. The changes made in the lists for the purposes of equalization take effect in the original lists, so that there is but one final list, or tax roll, for all purposes of taxation.

2. *Rate*—

The governing body of every taxing district in each county in the state reports to the county board of taxation of their respective counties the amount to be raised for state (if any), state school, county, school district, and local purposes, and may add 10 per cent thereto for contingencies. In like manner the "board of chosen freeholders" in each county reports the amount to be raised for county purposes. The county board of taxation then computes the tax rates necessary in each district to raise the sum required, on the basis of the assessed valuation as equalized.

The general tax law of 1905 provides a limit for all purposes, exclusive of the state school tax, of $1.70 in cities having over 50,000 inhabitants and of $1.50 in other taxing districts. Subsequent laws provide for a gradual reduction of rates in all counties where the aggregate rate, including the state school tax, is over $2. The limitations imposed upon the tax rate in any district shall not apply to the tax rate required to raise the state tax, the state school tax, to pay judgments against the taxing districts, or to pay the cost of constructing and maintaining any sewage system in any borough which may be in addition to the limited rate. This legislation appears to be intended to prevent an increase in the actual burden of taxation which might have resulted, if the old rates had been continued, from the increase in the assessed valuation brought about by the action of the state board of equalization and by the county board of taxation.

3. *Collection*—

Taxes are collected by the collector of each taxing district. They are due the 1st day of October, and delinquent the 20th of December. The penalty for delinquency is 7 per cent, unless the governing body of the taxing district fixes a higher rate, but is not to exceed 12 per cent. Taxes on personal property are collectible by distress and sale immediately after December 20, and, if no goods and chattels are found to seize, the delinquent may be imprisoned. Real estate taxes, if delinquent, become a lien on December 20 and warrant for the sale issues the following July.

The taxes on real estate may be collected from the tenant or other person in possession, who in turn may recover from the landlord. The taxes on unimproved or untenanted lands may be collected by seizure and sale of timber, wood, herbage, or other vendibles. County taxes, together with the state school tax and the state tax, if any, are paid by the district collectors to the county collectors, and the state taxes are remitted by the county collectors to the treasurer of the state.

B. POLL TAXES.

The poll tax is not used to supply state revenue.

C. THE INHERITANCE TAX.

A tax is imposed on the transfer of any property, real or personal, of the value of $500 or over, or of any interest therein or income therefrom, in trust or otherwise, to persons or corporations, in the following cases:

(1) When the transfer is, by will or intestate laws of this state, of property from a person dying seized thereof while a resident of the state.

(2) When the transfer is, by will or intestate law, of tangible property within the state and decedent was a nonresident of the state at the time of his death.

(3) When the transfer is of property made by a resident, or of tangible property within the state made by a nonresident, by deed, grant, bargain, sale, or gift, made in contemplation of death of grantor, intended to take effect after such death.

(4) When any person comes into the possession or enjoyment, by a transfer from a resident or nonresident decedent, when such nonresident decedent's property is within the state, of an estate in expectancy of any kind or character which is contingent or defeasible, transferred by an instrument taking effect after the passage of this act, or of any property transferred pursuant to a power of appointment contained in any instrument taking effect after the passage of this act.

This tax is at the rate of 5 per cent of the clear market value of the property and is to be paid to the state treasurer for the use of the state.

Property passing to father, mother, husband, wife, child, or lineal descendant born in lawful wedlock, brother, sister, son-in-law, or daughter-in-law, or to any child or children adopted as such, of the decedent, or to any child to whom such decedent for not less than 10 years prior to such transfer stood in relation of a parent; provided such relationship began at or before the child's fifteenth birthday and was continuous for said 10 years thereafter, or to churches, hospitals, orphan asylums, public libraries, Bible or tract societies, religious, benevolent, and charitable institutions, or for a public monument or memorial, is exempt.

If the tax is paid within one year from the date of the death of the testator, a discount of 5 per cent is allowed; if not paid within one year from such date interest at the rate of 10 per cent per annum is added.

D. CORPORATION TAXES.

All corporations, both domestic and foreign, are taxed on their property within the state for local purposes and by several different methods for state purposes. Some are also taxed for local purposes on the basis of gross earnings. (Only state taxes are described in this section; for local taxes, see Municipal Revenues.)

1. State franchise tax on capital stock.

All corporations incorporated under the laws of New Jersey, other than those which are subject to the payment of a state franchise tax assessed upon the basis of gross receipts (to wit: gas and electric light companies when not using the public highways; domestic life insurance companies; parlor, palace, or sleeping car companies, and express companies operating in the state), or subject to a local franchise tax based on gross earnings (to wit: street railway companies, water companies, gas and electric light or power companies, telegraph and telephone companies, district telegraph messenger companies, sewer companies, oil or pipe-line companies, all when using public highways), and other than insurance companies subject to a tax on gross premiums or to retaliatory taxes, collected by the commissioner of banking and insurance, pay an annual license fee or franchise tax of one-tenth of 1 per cent on all amounts of capital stock issued and outstanding up to and including $3,000,000; on all capital stock issued and outstanding in excess of $3,000,000 and not exceeding $5,000,000, one-twentieth of 1 per cent, and the further sum of $50 for each $1,000,000 or fraction thereof in excess of $5,000,000.

This tax does not apply to the following classes of corporations, in addition to those mentioned above: Railway, canal, or banking companies, including savings banks, cemeteries, or religious corporations, charitable or educational associations not conducted for profit, or manufacturing or mining companies at least 50 per cent of whose capital stock issued and outstanding is invested in mining or manufacturing carried on in the state. Mining and manufacturing companies doing business in the state, but having less than 50 per cent of their stock invested in such business in the state, are entitled to deduct from the amount of the capital stock issued and outstanding subject to taxation an amount equal to the assessed value of the property used in the state.

This tax is assessed on the basis of a return made to the state board of assessors and is collected by the controller.

2. State franchise tax based on gross earnings or on gross premiums and surplus.

The following classes of corporations are subject to a state tax based on gross earnings or gross premiums received within the state at the rate named: Gas and electric companies, when not using the public streets, highways, etc., at the rate of one-half of 1 per cent; life insurance companies incorporated in New Jersey, on gross premiums at the rate of thirty-five one-hundredths of 1 per cent, with an additional tax on surplus at the rate of 1 per cent; parlor, palace, or sleeping car companies, on gross receipts at the rate of 2 per cent; express companies on gross receipts at the rate of 2 per cent. These taxes are assessed by the state board of assessors and collected by the controller.

3. The state tax on railroads and canal companies—Historical note.—This tax originated in the "act for the taxation of railroad and canal property" approved April 10, 1884. The chief provisions of this act were: First, that all property of any railroad or canal company not used for railroad or canal purposes shall be assessed and taxed by the same assessors, and in the same manner and at the same rate of taxation as the taxable property of other owners in the same municipal districts; second, that all property used for railroad and canal purposes shall be assessed by the state board of assessors under the following four separate heads:

(1) The main stem, consisting of the right of way not over 100 feet wide, with rails and sleepers and all passenger depots.
(2) The real estate other than the main stem, including roadbed and tracks, outside of the 100 feet; all buildings other than depot buildings used for passengers; all water tanks, waterworks, riparian rights, docks, wharves, and piers.
(3) The tangible personal property, including rolling stock, cars, locomotives, ferry boats, machinery, tools, etc.
(4) The franchise: All four of these classes of property were to be valued and assessed by the state board of assessors. They were all to be subject to a state tax at the rate of one-half of 1 per cent, and items 2 and 3 were to be apportioned among the local taxing districts where they were to be subject to the same taxes as were levied on other property in these districts, but the latter tax was not to exceed 1 per cent.

The railroads objected to this tax on the ground that it was unconstitutional in that it created a special class of property for purposes of taxation, but the courts sustained the constitutionality of the tax. The act was further attacked by certain cities which regarded it as withdrawing too much property from local assessments and taxation, and it was also the object of attack by a political movement in favor of "equal taxation" on the ground that railroad property was not thereby taxed at the same rate as other property. The act was amended sixteen times down to and including the session of the legislature in 1908; in one year (1906) it was amended three times. It was also the subject of frequent litigation and the form which it took in 1906 and 1907 was held to be unconstitutional.

Present form, 1908.—The state board of assessors assesses the following three items of railroad and canal property: No. 1 of the act of 1884 modified, the "main stem" including, in the case of railroads, the right of way 100 feet wide, with rails and sleepers and all structures other than passenger and freight depots; in the case of canals

the waterway, towing path, and berm bank; No. 3 of the same act, the tangible personal property, including rolling stock, cars, locomotives, ferryboats, and the tangible personal property of canal companies; and No. 4 of the act of 1884, the franchise. These properties, due allowance being made for property under No. 2 of the act of 1884, with the addition of passenger depots, are assessed on the basis of a report showing the stock and bonds and the market value thereof. The rate of tax levied on this property is the average rate of taxation on all property assessed for local purposes by the local assessors.

The third act relative to railroad taxation, passed at the session of 1906, provided that property of the class No. 2 in the act of 1884, namely: Real estate other than main stem, including roadbed and tracks, outside of the 100 feet; all buildings (including passenger depots formerly included with main stem); all water tanks, waterworks, riparian rights, dock, wharves, and piers should be assessed by the local assessors. This act being found unconstitutional after assessment had been made for 1906 and 1907, the legislature in 1908 ordered a reassessment of this property by the state board of assessors for these years. Presumably all the old provisions of the statutes other than those declared unconstitutional are still in force, and since 1906 this property has been assessed by the state board, apportioned to the local taxing districts where it is located, and subjected to taxation in each such district at the same rate as other property in the districts.

Out of the state's share of the proceeds of this tax there is permanently appropriated to the support of the local schools a sum equal to one-half of 1 per cent of the total valuation of the property on which the tax is levied. This money is remitted by the state controller to the county collector and apportioned to the several school districts by the county superintendent of schools.

State tax on insurance companies.—Domestic life insurance companies are taxed on surplus and gross premiums. (See under 2, State franchise tax, above.) The following taxes are assessed and collected by the commissioner of banks and insurance: Fire insurance companies of other states and countries 2 per cent on gross premiums, and retaliatory taxes against the companies of states which levy more than 2 per cent on New Jersey companies, at the same rate as in those states. Foreign life insurance companies are taxed only under the retaliatory law. All other classes of insurance companies, 2 per cent on gross premiums.

(For the special franchise tax on corporations using the public streets and for the annual franchise tax on street railroads, see Municipal Revenues, D.)

E. BUSINESS TAXES, LICENSES, AND FEES.

Insurance agent, foreign company, $10; itinerant vendors, $25; fire, life, marine, and live stock insurance companies, $50. Nonresidents to auction jewelry within the state, $100.

To the secretary of state.—Incorporation fee, 20 cents for each $1,000 of capital stock authorized, $25 minimum tax; increase of stock, 20 cents per $1,000, $20 minimum tax. Consolidation and merger of corporations, 20 cents for each $1,000 authorized beyond capital of corporations consolidated, $20 minimum. Extension of corporate existence, same as organization; dissolution, change of name, increase of capital stock, etc., $20; foreign corporations, privilege tax, $10; foreign insurance company, $20; annual statement of insurance companies, $20.

F. THE INCOME TAX.

There is no income tax in New Jersey.

County Revenues.

A. GENERAL PROPERTY TAXES.

The county revenues are entirely derivative in New Jersey. There is no independent assessment of property for the purpose of county taxation, nor does the county levy or collect directly any poll, inheritance, corporation, or business taxes.

The support of the county comes mainly from a tax levied on the basis of the assessed value of property as determined by the assessors of the local taxing districts and equalized by the county board of taxation. The amount to be raised for county purposes, to wit, for current expenses, debt and interest, public works, poor relief, and other county purposes, is determined by the "board of chosen freeholders" not later than the last Tuesday of August. This amount is limited to a sum which shall not exceed 50 cents for each $100 of assessed valuation in the county, but an increase not to exceed 10 cents may be granted on application to the county board of taxation.

The county also receives, for distribution to the local school districts, the state school tax and a portion of the state tax on railroad and canal property. (See State Revenues, A and D.)

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

(See under State Revenues, A.)

B. POLL TAXES.

A poll tax of $1 per annum is assessed, levied, and collected, with the property taxes, on all males resident in the state over 21 years of age. Exempt are: Paupers, idiots, and insane, firemen, veterans of the Civil War, and members of the national guard. The assessor enters the poll tax in his list together with the ratable property; the tax is collected and enforceable in the same manner as are the taxes on personal property.

C. THE INHERITANCE TAX.

The inheritance tax is not a municipal tax.

D. CORPORATION TAXES.

Corporations generally are taxable on their property in the same manner as individuals. The following are special cases, and, except as otherwise stated, are taxed in addition to the property taxes:

Taxes on gross earnings of public service corporations.—All persons, copartnerships, associations, or corporations other than municipal or corporations operating railroads and canals, which have "the right to use or occupy the streets, highways, roads, lanes, or public places" are taxable on their gross earnings, in addition to the taxes on their property, at the rate of 2 per cent upon their gross receipts, except street railroads, which paid for 1906, 2½ per cent; for 1907, 3 per cent; for 1908, 3½ per cent; for 1909, 4 per cent; for 1910, 4½ per cent; for 1911 and thereafter, 5 per cent.

These taxes are assessed by the state board of assessors and apportioned to the various taxing districts in proportion to the value of the "property located in, upon, or under any public street," etc., as shown by the returns of the district assessors. But the board has the power to equalize such assessments.

These taxes are due and payable at the same time as other taxes and are collected by the district collectors in the same manner as taxes on other property. They are in lieu of all of the township, town, borough, or city franchise taxes, but do not impair the validity of any contract or agreement for the original purchaser of the franchise.

The classes of corporations actually assessed on gross earnings in this way are street railways, water companies, gas and electric companies, telegraph and telephone companies, district telegraph messenger companies, sewer companies, and oil or pipeline companies.

E. BUSINESS TAXES, LICENSES, AND FEES.

The common councils and boards of aldermen have power to license junk shops, billboards, billposters, roller skating rinks, omnibuses, carriages, and other vehicles, peddlers, pawnbrokers, auctioneers, milk dealers, street musicians, shows, and theatrical performances. Rates given in general statutes are:

Circus—admission 25 cents, not to exceed $500 per day; admission 10 to 25 cents, not to exceed $100 per week. Concerts—admission 50 cents or more, $25 per concert; theater, $350 per year. Employment agencies, not to exceed $25.

The board of excise commissioners has the power in towns and cities of granting retail liquor licenses. The rates found in general statutes are:

Liquors.—The statute fixes the minimum license fee but not the maximum, according to population, as follows: $100 for a population not exceeding 3,000; $150 when it exceeds 3,000 but not 10,000, and $500 when it is in excess of 10,000. Beer bottling, $100; sale of liquors by social clubs, $250.

Other licenses are determined by municipal ordinances.

School Revenues.

The free public schools are supported by the state school tax, by appropriations out of the revenues of the state made to compensate for the withdrawal of railroad property from local taxation and to reduce the state school tax, by interest and other income of the moneys invested in the state school fund, including rents of riparian leases of lands under water, by the poll tax, and such taxes as may be voted locally, the local taxes being by far the greater part of the support of the schools.

The aggregate amount of the annual state fund other than that from investments is to equal $5 for each child in the state between 5 and 18 years. What is necessary over and above the state appropriation is levied as the state school tax and is apportioned as above in proportion to the assessed value of the property taxable in each county and taxing district. This money is collected by the county collectors and remitted to the state treasurer. As soon as received 90 per cent thereof is immediately returned to the counties and taxing districts, being apportioned by the county superintendents, and 10 per cent is placed in a reserve fund and apportioned to the counties by the state board of education. The other moneys in the state school fund are apportioned by the state board of education. The funds raised by local taxation are under the control of the local authorities.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

The governing body of any village may appoint a board of assessors consisting of three members for three years at a salary fixed by such governing body. (The first assessors appointed under this law shall hold office for one, two, and three years, respectively.)

Osteopaths, lawyers, stationary engineers, and operators of game farms are required to take out state licenses. Municipalities were authorized to exclude from the maximum tax rate prescribed by law a levy to provide for the interest, sinking fund, and construction and maintenance of sewer systems. Provision was made for the issuance of new liquor licenses in the ratio of 1 license to 500 inhabitants, which are granted to the highest bidder therefor.

NEW MEXICO.[1]

New Mexico draws its revenues mainly from the general property tax. There are certain special corporation taxes on car and express companies, and on foreign corporations engaged in producing, refining, and selling petroleum or coal oil. There is no inheritance tax, and such licenses as are provided for by statute go direct to the support of schools and the general county government in the county in which collected.

In changing from a territorial to a state form of government (Jan. 6, 1912) provision was made in section 4, article 12, of the new constitution that all laws of the territory in force at the time of admission into the Union as a state, not inconsistent with the constitution, should remain in force as the laws of the state until they expire by their own limitation, or are altered or repealed.

The provisions of the new constitution concerning taxation are as follows:

CONSTITUTIONAL PROVISIONS.

ARTICLE VIII.

Taxation and revenue.

SEC. 1. The rate of taxation shall be equal and uniform upon all subjects of taxation.

SEC. 2. The legislature shall have power to provide for the levy and collection of license, excise, income, collateral and direct inheritance, legacy, and succession taxes; also graduated income taxes, graduated collateral and direct inheritance taxes, graduated legacy and succession, and other specific taxes, including taxes upon the production and output of mines, oil lands, and forests; but no double taxation shall be permitted.

SEC. 3. The enumeration of subjects of taxation in section 2 of this article shall not deprive the legislature of the power to require

[1] This compilation is derived mainly from the following sources: Compiled Laws of New Mexico, 1897: Santa Fe, N. Mex., 1897. Laws of New Mexico, 1899: Santa Fe, N. Mex., 1899. Laws of New Mexico, 1901: Albuquerque, N. Mex., 1901. The Session Laws to 1913, and Report of the Secretary of the Territory, 1909–10.

other subjects to be taxed in such manner as may be consistent with the principles of taxation fixed in this constitution.

SEC. 4. There shall be levied annually for state revenue a tax not to exceed 4 mills on each dollar of the assessed valuation of the property in the state, except for the support of the educational, penal, and charitable institutions of the state, payment of the state debt, and interest thereon. For the first two years after this constitution goes into effect the total annual tax levy for all state purposes, exclusive of necessary levies for the state debt, shall not exceed 12 mills; and thereafter it shall not exceed 10 mills.

SEC. 5. A state board of equalization is hereby created which shall consist of the governor, traveling auditor, state auditor, secretary of state, and attorney general. Until otherwise provided, said board shall have and exercise all the powers now vested in the territorial board of equalization.

SEC. 6. The legislature shall have no power to release or discharge any county, city, town, school district, or other municipal corporation or subdivision of the state, from its proportionate share of taxes levied for any purpose.

SEC. 7. The property of the United States, the state, and all counties, towns, cities and school districts, and other municipal corporations, public libraries, community ditches and all laterals thereof, all church property, all property used for educational or charitable purposes, all cemeteries not used or held for private or corporate profit, and all bonds of the state of New Mexico, and of the counties, municipalities, and districts thereof shall be exempt from taxatio ı.

SEC. 8. The power to license and tax corporations and corporate property shall not be relinquished or suspended by the state or any subdivision thereof: *Provided*, That the legislature may, by general law, exempt new railroads from taxation for not more than six years, from and after the completion of any such railroad and branches; such railroad being deemed to be completed for the purpose of taxation, as to any operative division thereof, when the same is opened for business to the public; and new sugar factories, smelters, reduction and refining works, and pumping plants for irrigation purposes, and irrigation works, for not more than six years from and after their establishment.

SEC. 9. All property within the territorial limits of the authority levying the tax, and subject to taxation, shall be taxed therein for state, county, municipal and other purposes; provided, that the state board of equalization shall determine the value of all property of railroad, express, sleeping car, telegraph, telephone and other transportation or transmission companies used by such companies in the operation of their railroad, express, sleeping car, telegraph, or telephone lines, or other transportation or transmission lines, and shall certify the value thereof as so determined to the county and municipal taxing authorities.

SEC. 11. The legislature may exempt from taxation property of each head of a family to the amount of $200.

SEC. 12. Lands held in large tracts shall not be assessed for taxation at any lower value per acre than lands of the same character or quality and similarly situated, held in smaller tracts. The plowing of land shall not be considered as adding value thereto for the purpose of taxation.

OFFICERS.

The officers most directly concerned with taxation are:

(1) County assessor, elected every four years.

(2) County collector; the county treasurer is ex officio tax collector.

(3) County board of equalization, composed of the county commissioners.

(4) State board of equalization, created by the constitution, consists of the governor, traveling auditor, state auditor, secretary of state, and attorney general. This board has all powers that were vested in the territorial board of equalization.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All property in the state not exempt by law, is subject to taxation.

(1) Real estate includes all lands within the state to which title or right to title has been acquired, all mines, minerals, and quarries, and all rights and privileges appertaining to land, and improvements which include all buildings, structures, fixtures, and fences affixed to land, whether title to the land has been acquired or not.

(2) Personal property includes everything subject to ownership not included within the term "real estate."

(3) Exemptions, in addition to public property are: Bonds of state, county, municipality, and districts; public libraries; cemeteries; property of literary, scientfic, benevolent, agricultural, and religious institutions and societies; fair associations; a family homestead, to the value of $200, or other property to make up an exemption of $200; mines and mining claims bearing gold, silver, and other precious metals (but not the net product and surface improvements), for a period of 10 years from the date of the location; irrigating ditches, canals, and flumes belonging to communities and used on a mutual basis; and all other ditches, etc., for irrigating purposes, for a period of 6 years after completion; property of irrigation districts, tanning factories, for 6 years; and railroads, for 6 years after the completion of the road and branches.

Beet sugar and broom factories, woolen mills, smelters, water power plants, cement and plaster manufacturing works, waterways, pipe lines, canals, and irrigation plants and refining and reduction works completed before April 1, 1909, shall be exempt from taxation for six years.

No tax is to be levied on any mining claim located under laws of the United States, or upon any shaft or working therein until after a patent has been issued by the United States and for one year thereafter; but other net improvements and the net product is taxable.

b. Assessment.—Every person is required to furnish a sworn list of the items and value of his property as of January 1 of each year, but the assessed value is fixed at the value of the property as determined by the assessor. For a false list or failure to render a list the penalty is an increase of 25 per cent in the assessed value.

Lands are to be designated on the assessment lists according to their character, as agricultural, grazing, coal, saline, mineral, timber, and town, city, or village lots.

Bona fide debts may be deducted from credits.

Corporations are assessed on their property where the same is situated. But where the entire capital or property is assessed, the stockholders are not taxed individually on their stock.

Bank stock in national or state banks is assessed where bank is located, by the state board of equalization, on the basis of statements by the corporate officers, and the taxes are paid by the corporation. Building and savings and loan associations are assessed with the amount shown to have been paid into the association, up to the 1st day of January, upon outstanding shares of stock, less the amount shown by the statements to have been loaned to shareholders upon mortgage security listed for taxation, and upon shares of stock of said association, and neither the association nor the shareholders therein shall be liable to other taxation upon shares of stock. Mortgages on real estate held by building and savings and loan associations are exempt if the real estate is listed for taxation by the owners.

Railroad, telegraph, telephone, and sleeping car companies and other transportation or transmission companies are to be assessed by the state board of equalization. All property is to be assessed at its actual value. The valuation is apportioned to the counties where the property is located, on a mileage basis. The power of the board extends to all classes of property owned by the railroad.

The state board of equalization fixes and determines the minimum value of all items of property other than those which it assesses and prepares a schedule of such valuation which it files with the auditor.

All sheep and goats belonging to nonresidents may be assessed by the assessor at any time during the year in the county where they are found grazing and the tax thereon is payable immediately.

c. Equalization.—The county board of equalization equalizes between individuals in the county and hears complaints in regard to the assessment.

The state board of equalization hears appeals from the county board of equalization or from any city assessor or city council. The board adjusts or equalizes also between the counties.

2. *Rate—*

The rate for state revenue, except for the support of educational, penal, and charitable institutions, payment of the state debt and interest thereon is not to exceed 4 mills.

The constitution provides that for the first two years after the same goes into effect the total annual tax levy for state purposes exclusive of necessary levies for the state debt shall not exceed 12 mills; and thereafter it shall not exceed 10 mills.

A tax of ½ mill is levied to create a fund to be known as the "New Mexican mounted police fund."

The sheep sanitary board may levy a special tax upon the assessed value of all sheep in the state.

3. *Collection—*

Taxes are collected by the county treasurer, who is ex officio tax collector. The collector is required to visit each precinct and give notice to all persons to call and pay their taxes. Payment may be made in two installments, the first between August 1 and January 1 and the second within six months. On the 1st of December in each year half of the unpaid taxes become delinquent and on the 1st of June the remaining half, from which dates 1 per cent is added as a penalty and 4 per cent additional at the end of a month. Delinquent taxes are to be collected by distraint and sale of personal property, and 10 per cent is added as compensation to the collector. Real estate is subject to sale on July 1. Taxes are a lien from the date of the levy thereof.

Delinquent taxes accruing prior to 1911 are to be distributed as follows: That portion of said taxes levied for state purposes to be paid into the state treasury and by said official covered into the state road fund; all the remainder of said taxes to be covered into the county road fund and county school fund; the apportionment between county road fund and county school fund to be made in the discretion of the county commissioners.

B. POLL TAXES.

A poll tax of $1 is levied upon all able-bodied male persons over the age of 21 years for school purposes. All poll taxes are to be paid to the county treasurer for the use of the respective school districts in which the same are collected. Exempt are active members of fire companies.

C. THE INHERITANCE TAX.

There is no inheritance tax.

D. CORPORATION TAXES.

Corporations are in general taxed under the general property tax.

Car companies operating palace, drawing room, dining, or sleeping cars are to pay $1.50 upon each $100 of the value of the cars used in this state fixed on the unit basis. Each standard car is valued at $5,000 and each tourist car at $1,500. One-half goes to the state treasury and one-half is apportioned to the counties according to mileage.

Express companies are to pay $2 on each $100 of gross receipts on the business in the state. One-half is distributed to the counties according to business done therein.

The Santa Fe Railroad Co., under act of Congress of June 27, 1902, pays to the collector of the counties of Bernalillo, Valencia, and McKinley, respectively, an annual tax at the rate of $175 per mile for each mile of main track in said counties, this tax being in lieu of all other, excepting that on the land grant and the shops and land, etc., at Albuquerque.

Insurance companies are taxed 2 per cent on the gross amount of premiums received, less returned premiums.

E. BUSINESS TAXES, LICENSES, AND FEES.

A number of licenses or occupation taxes provided for by statute, are required to be paid direct to the county treasurer to be used for schools and general county purposes. Such licenses are treated as county revenues. Other business taxes and licenses imposed by the state and used for state purposes are:

Automobiles, $10; embalmers, $25; renewal of registration, $2.

Hunter's license.—Each guide, $5; each big game license, resident, $1; each bird license, resident, $1; each big game and bird license, nonresident, $10; each big game and bird license, resident, alien, $10; each big game and bird license, nonresident, alien, $10; each general big game and bird license, resident, $1.50; storage or transportation permit (each), $1; each permit to keep game in captivity, $1; each permit to ship fish out of state, $1 for each lot; to ship deer out of the state (each), $2; for duplicate license or permit, $1; nonresidents over 12 years of age, to fish, $1; all nonresidents not aliens, who pay taxes in the state amounting to not less than $100 annually, are entitled to resident licenses upon the payment of same fees as required of residents.

License to sell liquor on trains, $200, to be paid into the state school fund.

Corporation charters, railroads, 10 cents for each $1,000 of capitalization and same for each subsequent increase of capital, in no case less than $25; amendments, other than increase of capital, $10; filing certificate of business and agent, $5; filing other instruments or documents, $1. Corporations for mining, manufacturing, industrial, and other purposes—certificate of incorporation, 10 cents for each $1,000 of capital, in no case less than $25; increase of capital stock, 10 cents per $1,000 of total increase, but in no case less than $20; consolidating and merger, same as for increase of capital; extension or renewal of corporate existence, same as for original certificate of organization; dissolution, change of name, change of nature of business, amendment (no increase of capital stock), decrease of capital stock, increase or decrease of par value or number of shares, $20; change of location, $5; filing list of

officers and directors, $1; all other certificates, $5; a fee of $5 is paid by religious or charitable associations or educational associations having no capital stock.

Certified copies of laws, certificates, appointments, bonds, and other instruments of public record in office of secretary of state, $1 for each certificate of comparison, and 15 cents for each folio of 100 words for copying plain written matter, and 75 cents for each legal size page of tabulated matter; furnishing plain copies of certain classes of records, etc., 50 cents per hour for copying, and 75 cents per hour for copying tabulated matter; certifying to officially printed copy of session, compiled, or revised statutes of the state, $5; in pamphlet form, $2 for the first 100 pages and $1 for each additional 100 pages; certified copy of election registration books, $1, and 20 cents per page of registered names; poll books, certifying notary public, $1; transferring authority of notary public from one county to another, $1; issuing duplicate commissions to notaries public, $1; recording all official and bank depository bonds, where the contents do not exceed 15 folios of 100 words each, $2.50, and 15 cents for each additional folio of 100 words over 15 folios; for filing all oaths of office, $1; administering oath and affixing seal, 50 cents; recording and indexing all other papers than official bonds, 25 cents for the first folio of 100 words, and 15 cents for each additional folio; filing requisition papers, issuing mandates and appointments, $3; searching records, etc., 50 cents per hour; comparing a copy of any law, etc., 5 cents for each folio of 100 words; certificate and seal, $1; commission to commissioner of deeds, $5; certificate to General Land Office, Washington, D. C., $1; filing emblem of political party, $1; certifying to appointment, etc., of county, district, or state officer, $1; for other certificates, $1. Pharmacists—examination and registration, $10; certificate, $3. Physicians—examination and certificate, $25. Dentists—certificate, $5; examination and certificate, $25. Board of bar examiners—examination, $15. Board of osteopathy—certificate to practice, $25; registering certificate in county where practicing, $1.50. Board of optometry—examination, $10; certificate, $5; registering certificate in county where practicing, 50 cents; removing to another county, $1 to board; certifying to registration by county clerk, $1; annual renewal fee not to exceed $2. (Funds for use of the board.)

Fee for issuing automobile license, $1; annual renewal, 50 cents. The fees are payable to the secretary of state.

Game and fish preserves.—Each permit to capture, $1; each quadruped park (2 year license), $15, and each renewal of same, $10; each park (10 year license), $50, and renewal of same, $25; one lake (2 year license), $10, and renewal of same, $8; each additional lake (2 year license), $5, and renewal of same, $3; one lake for 10 years, $25, renewal, $15; each additional lake, 10 years, $25, each renewal, $5; certificate, $1.

Banks, building and loan associations, and trust companies pay annually the following fees for examination: Capital stock, not more than $50,000, $25; over $50,000, $50.

The territorial (state) engineer collects fees ranging from 50 cents to $50 for services in connection with the use and distribution of the water of the state, and construction and inspection of irrigation work, proceeds to be applied to the hydrographic survey fund.

The Cary Act land board collects the following fees: For filing application, $1; for making certified copies, same fees as charged by secretary of state. Settlers on desert land pay a fee of $2 to officer taking proof of claim, to determine right to benefits of irrigation works; funds go to state treasury.

Sheep inspectors to be paid 3 cents per head for examination; for sheep being shipped or driven out of the state, 5 cents per head, and 1 cent per head to certify as to sanitary condition of each sheep; sheep being shipped or driven into the state for purpose of grazing, 5 cents per head. Funds for benefit of sheep sanitary board.

Inspectors of cattle hides, 10 cents each. Funds paid to cattle sanitary board. The cattle sanitary board collects a fee of 25 cents for rerecording brands.

Trust companies pay to the auditor of state for filing annual report $5, and for examination, $50.

Insurance companies pay for filing articles of incorporation, $50; power of attorney, $50; copy of charter or deed of settlement, $50; annual statement, $20; certificate of authority, $2; certificate of authority for agent, $2; copy of any paper, per folio, 20 cents; for affixing seal, $1; fraternal, religious, or benevolent society pays $5 for filing annual statement.

F. THE INCOME TAX.

There is no income tax in New Mexico.

County Revenues.

A. GENERAL PROPERTY TAXES

1. *Base—*

The property included and the assessment and equalization thereof are the same for counties as for the state.

2. *Rate—*

The boards of county commissioners of the various counties are authorized to levy for current expenses an annual tax of not to exceed 5 mills on the dollar upon the assessed value of all taxable property in the county. Additional levies for numerous special purposes are also authorized.

3. *Collection—*

Same as for state.

B. POLL TAXES.

Every able-bodied man between the ages of 21 and 60 years pays to the county road board a road tax of $3, or in lieu, labor on public roads three days, except that active members of fire companies are exempt.

Counties collect and disburse the general state poll tax for schools.

D. CORPORATION TAXES.

One-half of the state tax upon car companies is apportioned to the counties according to mileage, and one-half of the tax on the gross receipts of express companies is distributed to the counties according to business done therein.

The Santa Fe Railroad Co. pays to the counties of Bernalillo, Valencia, and McKinley an annual tax of $175 per mile of main track in said counties in lieu of all other taxes except the taxes on the land grant and shops and land at Albuquerque.

E. BUSINESS TAXES, LICENSES, AND FEES.

One-half of the tax on occupations provided for by statute is paid into the general current expense fund of the county, and one-half into the county school fund; also the proceeds of all licenses on the retail traffic in malt, vinous, or distilled liquors go into the county school fund.

Itinerant vendors of drugs, etc., $100 annually.

Itinerant vendors pay following fees to procure license from the county clerk: Traveling on foot, with one horse, $250 per annum; two horses, $300; traveling on bicycle, $100; traveling in any other manner, $350; doing business in any building, tent, etc., for each such place, $250. The revenue thus derived is to be divided equally between the general county fund and the school fund in the respective counties where collected.

Peddling beef, $250. This fund is to be paid into the "wild animal bounty fund" of the county.

Dealers in merchandise, other than liquors, annual sales not exceeding $10,000, pay license tax of $10 per annum; $10,000 to $20,000, $20; $20,000 to $50,000, $50; $50,000 to $75,000, $75; $75,000 to $100,000, $100; over $100,000, $150. Real estate agents, $10; hotels and restaurants—receipts $1,000 to $2,000, $20; receipts $2,000 to $5,000, $40; receipts over $5,000, $60. Livery and feed stables and stage lines, $10; pawnbrokers, $250; theaters and public halls—capacity 300 persons, $10; capacity over 300 persons, $25. License taxes, one-half of which are for state and one-half for county purposes, are levied as follows upon liquors: Wholesale liquor dealers, $100; brewers, $60; distillers, $200. Retail liquor dealers—to be paid into the county school fund; cities, towns, or precincts of 500 inhabitants or less, $100; 500 to 1,000, $200; 1,000 or over, $400. Municipalities may impose additional licenses.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the methods of assessment and of equalization are the same as for county and state taxation.

2. *Rate—*

Not more than 1 per cent ad valorem is to be levied by any municipality for general purposes. Additional levies for special purposes, however, are authorized from time to time. In towns the tax is limited to one-half of 1 per cent for general purposes with the same provision for levies for special purposes.

3. *Collection—*

Same as for state.

B. POLL TAXES.

Each able-bodied male citizen between 21 and 60 years of age may be required to pay a poll tax of $1, or to do a certain amount of labor in lieu thereof.

D. CORPORATION TAXES.

There are no municipal corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

The city council or town board of trustees fixes the amount of licenses on sale of liquors and on peddlers, pawnbrokers, ordinaries, cabmen, amusements and games, toll bridges and ferries, and various similar lines of business. The occupation taxes, other than liquor licenses, are collected by the city treasurer, of and for the incorporated city where such occupation is conducted.

Every incorporated city, town, or village collects a tax of $1 per annum on each male dog, and $2 on each female dog, for municipal purposes.

School Revenues.

The public schools are maintained by revenues from the following sources: Local taxation of property, lease of common school lands, lease of forest reserve and the sale of timber from the same, poll taxes, liquor licenses, other licenses, fines, escheats, and miscellaneous receipts.

In the taxation of property the boards of county commissioners are required to levy and collect annually a tax of one-half of 1 mill on the $1 of taxable property, the proceeds to be paid to the state treasurer to be added to the current school fund, one-half of which constitutes a reserve fund for the purpose of maintaining schools for a period of five months. The superintendent of public instruction, from a statement of the funds made by the treasurer, apportions the current school moneys to the counties according to the number of children of school age in each county. The reserve fund is distributed among the school districts in which the income from the special tax of 15 mills plus the regular apportionment from the county general fund are not sufficient to maintain the school for a period of five months.

To further provide funds for schools, county commissioners annually levy a tax of 3 mills on the dollar to be placed to the credit of this fund. An additional levy, to be known as the "county high school levy," not to exceed 2 mills, may be levied in counties having a population of 5,000 or more. (In 1913 this was amended to include all counties.)

Special school tax not to exceed 15 mills, in districts other than incorporated cities, towns, and villages, and 20 mills in such cities, towns, and villages may be levied by the county commissioners and paid to the treasurer of the board of education, for the purpose of purchasing and repairing schoolhouses.

Under the acts of Congress of June 21, 1898, and June 20, 1910, about 9,627,814 acres of public land have been granted to New Mexico for educational purposes, and of this about 8,464,000 acres go to the common schools for maintenance and new buildings. Five per cent of the money derived from the sale of public land within the limits of New Mexico is also given for the support of the public schools. It is expected that within a few years the public schools will be self-supporting through the leasing and sale of school lands, so that it will not be necessary to levy any tax for school purposes.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

Property to the value of $200 to each head of a family and the property of county fair associations was exempted from taxation.

Boards of county commissioners and the councils or other governing bodies of incorporated cities, towns, and villages are authorized to levy and collect a tax not to exceed one-half of 1 mill, for the care and maintenance of sick and indigent persons.

Upon petition of taxpayers, the board of county commissioners may levy a tax for county bridge purposes as follows: In counties of class A, $25,000; counties of class B, $10,000; counties of class C, $3,500; the classes are divided according to valuation of assessed property, ranging from $2,000,000 or less in class C to counties where the assessed value is from $2,000,000 to $4,000,000, class B, and over $4,000,000, class A.

Beginning in 1915 the county commissioners are authorized to levy a tax, not to exceed 1 mill, in aid of public health.

To provide for display of the products of the state at the Panama-California International Exposition, the auditor of state is authorized to make the necessary levy of tax for the years 1913 and 1914.

The date for listing of property was changed from March 1 to January 1 of each year.

The state board of equalization ascertains the true value of all property belonging to railroad, express, sleeping car, telegraph, telephone, or other transportation or transmission companies, used in operation of same, national and state banks and trust companies, and ascertains the true value of range cattle, horses, sheep and goats, and other live stock. When the true value is determined the board fixes a valuation for taxation purposes of 33⅓ per cent of the true value, which valuation is final and binding. The boards of county commissioners proceed in the same manner to ascertain the taxable value of all other property.

NEW YORK.[1]

New York has developed a system of state taxation by which the state government depends less on the general property tax for state revenues than on taxes derived from other less direct sources. The largest single item in the state revenues is the inheritance tax. Other important sources of state revenue are the liquor licenses, the series of general and special corporation taxes, and a number of miscellaneous items, largest among which are the stock transfers (stamp tax), secured debt tax, mortgage tax, and motor vehicles tax.

The general property tax, used mainly for county and municipal purposes, presents marked peculiarities: First, there is no "listing system"—that is, the taxpayer is not ordinarily required to render a statement enumerating his property. Corporations, however, unlike individuals, are required to render such statements. Second, the rule that personalty follows the situs of its owner is carried to a far greater extent than is usual in other states. Third, each taxpayer is allowed to deduct his debts from the entire valuation of his personal property instead of from his credits only, as is usual elsewhere. Fourth (and this is a consequence of the third), "special franchises," by which is meant mainly the right to use the public streets on, over, or under the ground, are classed for purposes of taxation as real estate. This prevents corporations owning such franchises from deducting their entire bond issues, which often amount to more than the value of the personalty, and thus escaping taxation entirely.

CONSTITUTIONAL PROVISIONS.

The constitution of the state of New York contains no provisions specifically relating to the revenue system, but by an amendment adopted in 1901 the legislature was forbidden to pass any private or local law exempting persons or associations from taxation.

OFFICERS.

The officers most directly concerned with taxation are:

a. Town—

(1) Town assessors, three in each town, two for a term of four years and one for a term of two years, elected biennially.

In villages the trustees may act as assessors, or they may appoint some of their own members to act as a committee for that purpose. The voters may at the annual election adopt a proposition for the election of separate assessors. The trustees in first and second class villages may by resolution direct that three assessors be elected for terms of one, two, and three years. At each annual election thereafter one assessor shall be elected for a term of three years.

(2) The tax collectors, one in each town, elected biennially.

b. City—

(3) In cities of the second class (50,000 to 175,000 inhabitants), four assessors, elected for a full term of four years, two at each biennial election.

(4) In cities of the second class, a board of estimate and apportionment, composed of the mayor, comptroller, corporation counsel, president of the common council, and city engineer, which assists the council in preparing the tax levy.

(5) In New York City, a board of taxes and assessments, composed of a president and 6 other persons appointed by the mayor as commissioners. They appoint deputies not to exceed 40 in number.

(6) In New York City, a receiver of taxes, who is head of the bureau for the collection of taxes.

(7) In New York City, a board of estimate and apportionment, composed of the mayor, comptroller, president of the board of aldermen, and the presidents of the boroughs of Manhattan, The Bronx, Brooklyn, Queens, and Richmond, which prepares the budget.

c. County—

(8) The county boards of supervisors, who act as county boards of equalization.

d. State—

(9) The state board of tax commissioners, composed of three members, appointed by the governor, to hold office for a term of three years, one member retiring each year.

(10) The state board of equalization, composed of the commissioners of the land office and the commissioners of taxes.

(11) State comptroller and state treasurer, elected for terms of two years.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

This tax is used primarily for county and local purposes. It is, however, an important source of state revenue and therefore included and described here.

1. *Base—*

a. The property included and exempt.—All real property within this state, and all personal property situated or owned within this state, is taxable, unless exempt by law.

(1) Real estate includes land and all buildings and structures affixed thereto; wharves and piers and the rights connected therewith; bridges, telegraph lines, wires, poles, and appurtenances; all supports and inclosures for electrical conductors; all surface, underground, or elevated railroads; the value of all franchises, rights, or permission to construct, maintain, or operate the same; all railroad structures; branches, etc., on public roads or grounds; mains, pipes, or tanks for conducting steam, heat, water, oil, electricity, or any property or substance, including the value of all franchises, rights, authority, or permission to construct, maintain, or operate the same in, under, above, upon, or through any streets; all trees and underwood growing upon land, and all mines, minerals, quarries, and fossils in and under the same. A franchise, right, authority, or permission specified in this subdivision shall for the purpose of taxation be known as a "special franchise." A special franchise shall be deemed to include the value of the tangible property of a person, copartnership, association, or corporation situated in, upon, under, or above any street, highway, public place, or public waters in connection with the special franchise. The tangible property so included shall be taxed as part of the special franchise.

The term "special franchise" shall not be deemed to include the crossing of a street, highway, or public place outside the limits of a city or incorporated village where such crossing is less than 250 feet in length, unless such crossing be the continuance of an occupancy of another street, highway, or public place. This subdivision does not apply to an elevated railroad.

(2) Personal property includes chattels, money, things in action, debts due from solvent debtors, whether on account, contract, note, bond, or mortgage; debts and obligations for the payment of money due or owing to persons residing within the state, however secured or wherever such securities shall be held; debts due by inhabitants of this state to persons not residing within the United States for the purchase of any real estate; public stocks, stocks in moneyed corporations, and such portion of the capital of incorporated companies, liable to taxation on their capital, as shall not be invested in real estate. Mortgages are not taxable as property, but are subject to the mortgage recording tax.

(3) Exemptions from taxation, in addition to all public property, are: The lands of any Indian reservation; all property exempt by law from execution other than an exempt homestead; real property purchased with the proceeds of a pension received from the United States government; certain bonds of the state and all refunding bonds of municipal corporations; property of a municipal corporation outside its corporate limits is not exempt; the real property of a corporation or association organized exclusively for the moral or mental improvement of men or women, or for religious, Bible, tract, charitable, benevolent, missionary, hospital, infirmary, educational, scientific, literary, library, patriotic, historical, or cemetery purposes, or for the enforcement of laws relating to children or animals; real property of volunteer fire departments not exceeding $15,000; parsonages up to $2,000; real property of a fraternal association if the net income is used for the free education or relief of members or their families; real property of agricultural societies permanently used for exhibition grounds; real and personal property of ministers and priests to $1,500; vessels engaged in ocean commerce and the companies owning them until 1923; certain property of nonresidents; and deposits in savings banks.

Moneys collected by insurance companies used for the payment of assessments, or for death losses, or for benefits to disabled members; owners and holders of stock in an incorporated company liable to taxation on its capital, are not taxed as individuals for such stock; personal property in excess of $100,000 of a mutual life insurance company incorporated in the state before 1849; real property from which no income is derived and personal property situated in first-class cities and belonging to a medical society of any county within such city, which society was incorporated under chapter 94, Laws 1813, exemption for any society not to exceed $150,000 in Kings and New York counties or $50,000 in any other county, and real property from which no rent is derived and personal property, situated within any city of the first class and belonging to an incorporated pharmaceutical society which has been or may be authorized by act of the legislature to establish a college of pharmacy in such city, not exceeding $100,000 in the counties of Kings and New York, and $50,000 in other counties; the real and personal property of an academy of music which was purchased with the proceeds of general or popular subscription, when it appears that such association has not earned a net annual income; household furniture and personal effects to the value of $1,000; land containing from 1 to 100 acres planted with trees for forestry.

b. Assessment.—There is in general but one assessment roll for state, county, and local purposes. This is made up in the first instance by the local assessors.

The assessment is generally made between the 1st of May and the 1st of July. In towns having an incorporated village with more than 10,000 population assessors may have from April 15 to July 1. The town board may fix an earlier date if they determine that a longer time is required for the assessors to do their work, which may be at a time after the 1st day of January. The assessment of banks is made on the basis of reports which show their condition on June 1.

Corporations are required to render reports in detail on or before June 15.

Property is to be assessed at its full value. What this value is has not been defined by statute, but the courts have held it to be the "amount of money the property would sell for at a fair, free, and well-advertised sale."

Debts owing may be deducted from the full value of the personal property owned.

Real estate is assessed in the tax district in which it is situated, and personal property, with few exceptions, at the place of residence of the owners; one exception is the personal property of nonresidents having an actual situs in the state is assessed and taxed where situated, unless exempt by law.

In general, corporations are assessed upon their capital "existing in money or property," and the shareholders are not assessable upon their interest.

State and national banks pay a tax of 1 per cent on the capital, surplus, and undivided profits without deduction for debt or for funds invested in real property.

The value of "special franchises" subject to assessment in cities, towns, and villages is annually fixed and determined and afterwards equalized with the assessment of other real property in the same locality by the state board of tax commissioners. This assessment is the basis for state, county, and local taxation for the ensuing year.

The assessment of railroad, telegraph, telephone, or pipe-line companies made by the assessors, also all special franchise assessments as equalized are apportioned by the assessors among the school and other taxing districts.

c. Equalization.—The assessment roll is completed by the assessors on or before the 1st day of August; it may be seen and examined by any person until the third Tuesday in August, when all complainants may appear before the assessors who sit as a board of review, and if, after taking testimony under oath, the assessors are satisfied that a change should be made, they may change any assessment.

In cities the assessment roll when completed is filed on or before the 1st day of September in the office of the city clerk, to remain for 15 days for inspection.

The board of supervisors of each county equalizes the assessment of real estate between the different tax districts within the county, but may not change the

[1] This compilation is derived mainly from the following sources: Consolidated Laws of the State of New York, 1909 and 1910. Session Laws, 1910, 1911, and 1913. Report of the State Board of Tax Commissioners for 1912.

aggregate valuations of the county. In regard to personal property it has the power only to correct illegal or erroneous assessments.

The state board of equalization equalizes the assessment of real estate as between counties, but may not reduce the aggregate valuation of all counties. This equalization by the state board affects the apportionment of the state taxes only, as the levy is made by the supervisors on the valuations as equalized by the county board.

Any supervisor may appeal from the action of the board of supervisors in regard to his district to the state board of tax commissioners.

There is no provision for the equalization of the assessment of personal property.

2. *Rate—*

The amount of state taxes to be raised is apportioned among the counties by the comptroller on the basis of the assessment as equalized by the state board of equalization. The rate is expressed in mills on the dollar. The amount required from each county, as determined by state equalization, is levied, together with the local taxes, by the supervisors upon the assessments as equalized by them.

3. *Collection—*

State and all other taxes on individuals and banks are collected by the local tax collectors. Those on individuals are a lien on the real and personal property of the taxpayer; and those on bank stocks, on the dividends and shares.

Railroad, telegraph, telephone, and electric light or gas companies may, within 30 days, pay their taxes with 1 per cent fees to the county treasurers. If not so paid, they are collected by the tax collector. Unpaid taxes may be collected by seizure and sale. There are elaborate provisions for the collection of taxes from nonresidents.

The tax collector is entitled to receive as fees for collection 2 per cent of all taxes collected within 30 days of notice that he has received the roll (which must be on or before December 20) if the aggregate amount shall not exceed $2,000; otherwise, 1 per cent in addition. On all taxes collected after the expiration of 30 days he is entitled to receive an additional 5 per cent, which is the delinquency penalty. He also receives 2 per cent as fees for all taxes returned to the county treasurer as unpaid.

B. POLL TAXES.

There is no poll tax for state purposes.

C. THE INHERITANCE TAX.

(Known as the transfer tax.)

A tax is imposed upon the transfer of tangible property within the state and of intangible property, or of any interest therein or income therefrom, to persons in the following cases:

(1) Transfer by will or intestate laws of this state, of property within the state, from person dying seized thereof while a resident of this state.

(2) Transfer of property within the state and decedent was a nonresident of the state at the time of his death.

(3) Property of a resident decedent, or of a nonresident decedent within the state, transferred by will, if not specifically devised, shall be deemed to be transferred proportionately to all legatees named in will.

(4) Transfer of property within the state made by a resident, or of tangible property within the state made by a nonresident, by deed, grant, bargain, sale, or gift, made in contemplation of death of grantor, intended to take effect after such death.

(5) When person becomes entitled to property by any such transfer made before or after the passage of this chapter.

(6) When any person shall exercise a power of appointment, derived from disposition of property made before or after the passage of this chapter, such appointment shall be deemed a transfer taxable in the same manner as though the property belonged to donee of such power.

(7) Tax imposed hereby shall be upon the clear market value.

Exemptions.—Any property devised or bequeathed for religious ceremonies for the deceased donor, or to any person who is a bishop, or to any religious, educational, charitable, missionary, benevolent, hospital, or infirmary corporation, for Bible or tract purposes, and to corporations organized for the enforcement of laws relating to children or animals, shall be exempt. There shall also be exempted personal property other than money or securities bequeathed to a corporation or association organized for the moral or mental improvement of men or women or for scientific, literary, library, patriotic, cemetery, or historical purposes, except where officers or members thereof shall receive any pecuniary profit from the operations thereof.

Rate of tax:

(1) Property in excess of $5,000 to father, mother, husband, wife, child, brother, sister, wife or widow of a son, or the husband of a daughter, or child adopted as such, of the decedent, or vendor or to any child to whom such decedent or vendor for not less than 10 years prior to such transfer stood in relation of parent, provided such relationship began before child's fifteenth birthday and was continuous for said 10 years thereafter, or to any lineal descendant of such decedent or vendor born in lawful wedlock; the tax on such transfer shall be at the rate of: Exceeding $5,000 to $50,000, 1 per cent; $50,000 to $250,000, 2 per cent; $250,000 to $1,000,000, 3 per cent; in excess of $1,000,000, 4 per cent.

(2) Upon a transfer of property of an amount in excess of $1,000 to any person other than those enumerated in paragraph 1 (under rate of tax) the tax shall be at the rate of: Exceeding $1,000 to $50,000, 5 per cent; $50,000 to $250,000, 6 per cent; $250,000 to $1,000,000, 7 per cent; in excess of $1,000,000, 8 per cent.

If the tax is paid within 6 months, a discount of 5 per cent is allowed; if not paid within 18 months, interest at the rate of 10 per cent is charged.

Salaried appraisers are appointed in certain counties to assist in the collection of the tax, which is payable to either the county treasurers or the state comptroller. In counties where there are no such appraisers the county treasurer receives 5 per cent of the first $50,000 collected, 2½ per cent of the next $50,000, and 1 per cent of additional sums.

The proceeds of this tax are paid into the state treasury and are not, as such, apportioned to the minor divisions.

D. CORPORATION TAXES.

The principal corporation taxes in New York are a franchise tax applying to all classes of corporations, an "organization tax" on domestic corporations, and a corresponding "license tax" on foreign corporations. The two latter are treated under "Business taxes, licenses, and fees" because of their close analogy to the fees charged for incorporation in other states. The franchise taxes should not be confused with the taxation of "special franchises" or the privilege to go on, over, or under the public streets, which are taxed as real estate under the general property taxes.

Franchise taxes on corporations in general.—This tax is briefly described as follows: For the privilege of doing business or exercising its corporate franchises, every corporation, joint-stock company, or association, doing business in the state, except insurance companies and certain other corporations mentioned below, is required to pay on the amount of its capital stock employed within the state (determined by taking such portion of the total capital stock as the gross assets employed in any business within the state bears to the gross assets wherever employed) the following tax:

1. If the dividends upon the capital stock amount to 6 per cent or more than 6 per cent, the tax is at the rate of one-fourth of 1 mill for each 1 per cent of the dividends paid or declared upon such stock.

2. If such dividend or dividends amount to less than 6 per cent of the par value of the capital stock, and the assets do not exceed the liabilities, exclusive of capital stock, or the average price at which such stock sold during said year did not equal or exceed its par value, or if no dividend was declared, the rate is three-fourths of 1 mill on each dollar.

3. If such dividend or dividends amount to less than 6 per cent of the par value of the capital stock, and the assets exceed the liabilities exclusive of the capital stock by an amount equal to or greater than the par value of the capital stock, or if the average price at which such stock sold during said year is equal to or greater than the par value, the rate is 1½ mills on each dollar of the valuation of the capital stock; such valuation must not be less than the par value of such stock, the difference between the assets and liabilities exclusive of the capital stock, or the average price at which such stock sold during said year.

4. If such corporation or company has more than one kind of capital stock, and upon one of such kinds of stock a dividend amounting to 6 per cent or more has been declared, and upon the other no dividend has been declared, or the dividend amounts to less than 6 per cent, the rate is fixed at one-fourth of 1 mill for each 1 per cent of the dividends declared on the capital stock upon which the dividends amounted to 6 per cent or more. In addition, a tax is charged upon the capital stock upon which was declared a dividend of less than 6 per cent as described in paragraph 3 preceding.

5. All corporations not covered by the provisions of paragraphs 1 to 4 are required to pay a tax not less than would be produced by an assessment of 1½ mills on each dollar of the actual value of its capital stock or 1½ mills upon each dollar of such capital stock at the average price at which said stock sold during the year.

Banks, savings banks, institutions for savings; title guaranty, insurance, or surety companies; trust companies organized under the laws of New York; laundering corporations, manufacturing corporations to the extent only of the capital actually employed in the state in manufacturing and in the sale of the product of such manufacturing, mining corporations wholly engaged in mining ores within the state, agricultural and horticultural societies; companies operating elevated or surface railroads not operated by steam or formed for supplying water or gas for electric or steam heating, lighting, or power purposes are exempt from this tax, but to gain such exemption each laundering, manufacturing, and mining company must have at least 40 per cent of its capital invested in the state, and used by it in its laundering, manufacturing, or mining business in the state.

An "additional franchise tax" is levied upon corporations formed for steam surface railroad, canal, steamboat, ferry, express, navigation, pipe-line, transfer, baggage express, telegraph, telephone, palace car, or sleeping car purposes, and all other transportation companies not liable to the taxes described in the two following paragraphs. The rate per annum is five-tenths of 1 per cent of the gross earnings in the state, which includes gross earnings from its business originating and terminating within the state, but not earnings derived from business of an interstate character.

Elevated railroads or surface roads not operated by steam pay 1 per cent of gross earnings and 3 per cent on dividends in excess of 4 per cent upon actual amount of paid-up capital employed by such corporations or company. Any such railroad corporation whose property is leased to another railroad corporation is only required to pay a tax of 3 per cent upon the dividends paid in excess of 4 per cent upon the amount of its capital stock.

Waterworks, gas, electric, or steam heating, lighting, and power companies pay five-tenths of 1 per cent of gross earnings and 3 per cent of dividends in excess of 4 per cent.

Franchise tax on insurance corporations.—An annual state tax for the privilege of exercising corporate franchises or for carrying on business within the state equal to 1 per cent on the gross premiums received during the preceding calendar year for business done at any time in the state, which gross amount includes all premiums received during such year, whether such premiums were in the form of money, notes, credits, or any other substitute for money, is paid annually into the treasury of the state on or before June 1 by the following corporations:

(1) Every domestic insurance corporation incorporated by or pursuant to a general or special law.

(2) Every insurance corporation organized by or pursuant to the laws of any other state of the United States and doing business in the state, except fire and marine insurance business.

(3) Every insurance corporation organized under the laws of any state without the United States, or of any foreign country, except life, health, or casualty insurance business, and doing business in this state; but the tax on gross premiums of a corporation so incorporated, organized, or formed and doing a fire or marine insurance business within the state shall be equal to five-tenths of 1 per cent.

This section does not apply to a fraternal beneficiary society, order, or association, a corporation for the insurance of domestic animals, a town or county cooperative insurance corporation, nor to any corporation subject to the supervision of or required by or in pursuance of law to report to the superintendent of banks.

Other franchise taxes.—Trust companies, domestic, pay an annual franchise tax equal to 1 per cent of the capital stock, surplus, and undivided profits.

Savings banks, domestic, pay an annual tax for the privilege of exercising their corporate franchise equal to 1 per cent of the par value of their surplus and undivided earnings.

Savings banks, trust companies, and insurance companies obtain a credit on their state franchise tax for an amount equal to 1 per cent on the par value of state bonds bearing interest at a rate not exceeding 3 per cent held by them.

Foreign bankers pay 5 per cent on interest earned on money loaned in the state.

E. BUSINESS TAXES, LICENSES, AND FEES.

Liquor taxes.—Trafficking in liquors to be drunk on the premises—in cities, towns, etc., of 1,500,000 inhabitants or more, $1,200; 500,000 to 1,500,000, $975; 50,000 to 500,000, $750; 10,000 to 50,000, $525; 5,000 to 10,000, $450; 1,200 to 5,000, $300; in any other place,

$150. Trafficking in liquors not to be drunk on the premises—in cities, etc., of 1,500,000 inhabitants or more, $750; 500,000 to 1,500,000, $600; 50,000 to 500,000, $450; 10,000 to 50,000, $300; 5,000 to 10,000, $150; 1,200 to 5,000, $112.50; any other place, $75. Pharmacist for medical purposes only, $7.50. Car, steamboat, or vessel, $300. Persons, etc., holding license to sell liquors not to be drunk on the premises, for delivery wagons, each, $150. Alcohol, for industrial purposes—in cities, etc., of 1,500,000 inhabitants or more, $37.50; 500,000 to 1,500,000, $30; 50,000 to 500,000, $22.50; 10,000 to 50,000, $15; in any other place, $7.50. Growers of fruits, etc., for right to sell liquors not to be drunk on the premises, $75. One-half the revenue derived from the liquor tax is paid to the state, the other half to the municipality.

Dealers in convict-made goods, $500. Peddlers on foot, $20; one horse, etc., $30; more than one horse, $50. In all cases $2 additional must be paid to the secretary of state. Private detectives, if one person, $150; if a partnership or corporation, $200. This license is issued by the state comptroller and is for 5 years.

Navigation.—The owner of a vessel shall pay fees for inspection and license as follows: Vessels under 10 tons burden, $5; over 10 and under 20 tons burden, $7.50; over 20 and under 50 tons burden, $10; over 50 and under 100 tons burden, $12.50; over 100 tons burden, $25. Each pilot, etc., licensed, pays $5 for original license and $3 for renewal.

Motor vehicles.—The following fees are paid to the secretary of state upon the registration or reregistration of a motor vehicle: 25 horsepower or less, $5; more than 25 horsepower and less than 35 horsepower, $10; 35 horsepower and less than 50 horsepower, $15; 50 horsepower or more, $25. Commercial motor vehicles pay $5. For motor vehicles, other than those used for commercial purposes, licensed for 4 separate years and for which there have been paid the annual registration fees herein provided during said period, the annual registration fee thereafter shall be one-half the amount. The fees imposed, other than those for manufacturers and dealers and those for commercial purposes, are in lieu of all taxes, general or local.

A tax of 50 cents for each $100 or fraction thereof of the principal of a debt or obligation secured by mortgage of real estate situated within the state is imposed on all mortgages and is payable on the recording of the same.

There is imposed on all transfers of shares of stock in any domestic or foreign corporation a tax of 2 cents on each $100 of the face value or fraction thereof. In cases where the shares are issued without designated money value the tax is 2 cents for each share.

A tax of one-half of 1 per cent upon the face value of bonds, notes, or debts secured by mortgage on real property recorded in any state other than New York, and not recorded in the state of New York, and upon certain classes of unsecured debts.

Every stock company when incorporated pays a so-called organization tax of one-twentieth of 1 per cent of authorized capital stock, which is collected by the state treasurer. The same rate applies to every increase. In no case shall such tax be less than $5.

Every foreign company, except banking corporations, certain insurance companies, and building and loan associations, entering the state pays a "license fee" of one-eighth of 1 per cent of capital stock employed by it in the state during its first year of business and upon any increase in subsequent years.

Banks have to pay all the expenses of conducting the department of banking, which are apportioned among them as the superintendent deems just.

The superintendent of insurance collects the following: For filing charter, $30, except corporations for the insurance of domestic animals, cooperative and fraternal beneficiary corporations, in which case the fee is $10; annual statement, $20, except cooperative and domestic animal insurance companies in which case the fee is $1 for each 100 members or fraction thereof, not to exceed $25; certificates to agents, not over $5; copies of papers on file, 10 cents per folio; certifying same, $1; examination of companies, actual expenses, not to exceed $50.

F. THE INCOME TAX.

There is no income tax in New York.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the method of assessment and of equalization are the same for the county as already described for the state.

2. *Rate*—

The rate is determined and the tax levy made by the board of supervisors.

3. *Collection*—

County taxes are collected with other taxes by the local tax collectors.

B, C, AND D. POLL, INHERITANCE, AND CORPORATION TAXES.

There is no county poll tax, and counties do not share in the inheritance tax nor in the special corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

Dog licenses or taxes may be imposed by the county board of supervisors at rates to be fixed by them. They are collected by the tax collectors, being added to the assessment roll by the assessors. When not otherwise fixed, the rates are: For one bitch, per family, $3; each additional bitch, $5; for one dog other than bitch, 50 cents; each additional dog, $2. The tax collector retains 10 per cent as his fee.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the method of assessment and of equalization have already been described under State revenues.

2. *Rate*—

The rate is limited to 2 per cent in certain cities by charter, in some it is limited by statute, and in others it is fixed by the various municipal authorities. In New York City it is fixed by the board of aldermen on certification from the board of estimates and apportionment; and in a similar manner, in cities of the second class.

3. *Collection*—

Municipal taxes are collected by the local collectors as described under State revenues, above.

B. POLL TAXES.

Villages.—Unless a village decides not to impose a poll tax, all men between the ages of 21 and 70 years residing in the village are liable to an annual poll tax of $1, except firemen, honorably discharged soldiers and sailors who lost one arm or leg in the service of the United States, clergymen and priests, paupers, idiots, and lunatics. All personal property is subject to levy and sale in the collection of a poll tax.

Towns.—The town board of any town may by resolution determine that no money shall be raised in such town for the ensuing year for the removal of obstructions in the highway caused by snow, and that such obstructions shall be removed by labor of persons and corporations liable to be assessed in such town for highway taxes. The town superintendent of a town in which the obstructions in the highways are caused by snow, annually makes an estimate, giving the probable number of days' labor needed during the following year for the removal of snow, and assesses one day's labor upon each male of the town above the age of 21 years, excepting honorably discharged soldiers and sailors who lost an arm or leg in the service of the United States, members of any fire company, persons of 70 years of age or over, clergymen and priests, paupers, idiots, and lunatics. The balance of such estimated number of days is apportioned and assessed upon the general property of the town as the same appears by the last assessment roll. All assessments upon which parties fail to appear or commute are certified to the town board, and by such town board to the supervisors and highway commission and are included in the next tax roll of the town and levied against the persons assessed at the rate of $1.50 per day as other taxes are levied. Nonresidents if called out and refuse to appear or to commute at $1 a day are charged by the town superintendent $1.50 per day for each day required, and the same is assessed against the property of such person.

C. THE INHERITANCE TAX.

There is no inheritance tax for cities and towns.

D. CORPORATION TAXES.

The tax on shares of bank stock collected by the county treasurer is apportioned among the cities, towns, and school districts. The basis of apportionment is the number of shares owned by residents of the several civil divisions and the rates within such divisions. In some cities public service corporations pay an annual rental for their franchises, and all municipalities levy on "special franchises" as on other property.

E. BUSINESS TAXES, LICENSES, AND FEES.

Pawnbrokers in cities having a population of 200,000 or more, $500 annually. Cities get one-half of the liquor licenses (see State license). Towns may license peddlers and fix rates. Dog licenses—in second and third class cities, $1.

Villages may license carriages, cabs, etc., auctioneering, hawking, peddling, retail business from canal boats, circuses, theaters, or other exhibitions, billiard saloons, bowling alleys, etc., and public halls and opera houses.

The board of aldermen of New York City may license and tax carts, hacks, cabs, expressmen, etc., car drivers, boatmen, bootblacks, pawnbrokers, junk dealers, keepers of intelligence offices, dealers in secondhand articles, hawkers, peddlers, vendors, scalpers in coal freights, menageries, circuses, shows, bone boiling, fat rendering, etc., and dogs. In New York City these licenses are annual: For each public cart or truck, $2; public hack coach, $3; public hack cab, $2; special hack coach, $5; special hack cab, $3; express wagon, $5; junk shop or dealer, $20; dealer in secondhand articles, $25; junk cart or boat, $5; peddler using horse and wagon, $8; peddler using push cart, $4; peddler carrying merchandise, $2; ticket speculator, $50; coal-freight scalper, $250; common show, $25; public shooting gallery, $5; public bowling alley, $5; public billiard table, $3; dirt cart, $1; general hoisting, $25; special hoisting, $1; fruit or soda water stand, or both, $10; newspaper or periodical stand, or both, and in addition also a fruit or soda water stand, or both, $15; movable newspaper stand, $1; newspaper and periodical stand, $5; chair of a bootblack stand, $5; stand under elevated railroad station, $10; driver of any licensed vehicle, 50 cents; auctioneers, $100.

School Revenues.

School taxes are levied on the real estate and the personal property of each school district. There is a special equalization made by the two or more supervisors concerned when a district occupies parts of two or more towns; otherwise the assessment is the same as for other taxes. The levy is made and the rate fixed by the school trustees, but the taxes are collected as are state, county, and municipal taxes. School districts also receive a portion of the taxes on bank shares collected by the county treasurer, and by him apportioned among the minor civil divisions.

NORTH CAROLINA.[1]

North Carolina draws its revenue from various sources. In addition to the general property tax there is an elaborate system of privilege or license taxes, for both state and county, and also state inheritance and income taxes. On corporations there is a franchise tax, graduated according to capital stock. Railroad, telegraph, telephone, express, and insurance companies also pay special taxes, based on gross receipts, but in some cases, where the assets of the company are invested in the state and taxable there, these are reduced.

[1] This compilation is derived mainly from the following sources: "Revenue Act," Public Laws and Resolutions of the State of North Carolina, Session of 1911.
"Machinery Act," An act to provide for the assessment of property and the collection of taxes, Session of 1911.
Revisal of North Carolina 1905 Session Laws to 1913.

CONSTITUTIONAL PROVISIONS.

ARTICLE V.

SEC. 3. Laws shall be passed taxing, by a uniform rule, all moneys, credits, investments in bonds, stocks, joint-stock companies or otherwise; and also all real and personal property, according to its true value in money. The general assembly may also tax trades, professions, franchises, and incomes, provided that no income shall be taxed when the property from which the income is derived is taxed.

SEC. 1. The general assembly shall levy a capitation tax on every male inhabitant over 21 and under 50 years of age, which shall be equal on each to the tax on property valued at $300 in cash.

The commissioners of the several counties may exempt from capitation tax in special cases, on account of poverty and infirmity, and the state and county capitation tax combined shall never exceed $2 on the head.

SEC. 2. The proceeds of the state and county capitation tax shall be applied to the purposes of education and the support of the poor, but in no one year shall more than 25 per cent thereof be appropriated to the latter purpose.

SEC. 5. Property belonging to the state or to municipal corporations shall be exempt from taxation. The general assembly may exempt cemeteries and property held for educational, scientific, literary, charitable, or religious purposes; also wearing apparel, arms for muster, household and kitchen furniture; the mechanical and agricultural implements of mechanics and farmers; libraries and scientific instruments, or any other personal property, to a value not exceeding $300.

SEC. 6. The taxes levied by the commissioners of the several counties for county purposes shall be levied in like manner with the state taxes and shall never exceed the double of the state tax, except for a special purpose and with the special approval of the general assembly.

ARTICLE I.

SEC. 32. Ex post facto laws * * *. No law taxing retrospectively sales, purchases, or other acts previously done, ought to be passed.

ARTICLE VII.

SEC. 7. (No county, city, or town or other municipal corporation is to levy any tax except for necessary expenses thereof, unless by a vote of the majority of the qualified voters therein.)

SEC. 9. All taxes levied by any county, city, town, or township shall be uniform and ad valorem, upon all property in the same, except property exempted by this constitution.

OFFICERS.

The officers most directly concerned with taxation are:

(1) County assessors appointed for two years by state tax commission.

(2) Township or ward assessors (assistants to county assessors) appointed for not less than 12 months by boards of county commissioners.

(3) City assessors (3) appointed for four years by boards of aldermen in cities lying in two or more counties.

(4) City boards of equalization consisting of the board of aldermen and one of the assessors.

(5) Board of county commissioners.

(6) County board of equalization consisting of the board of county commissioners and county assessor.

(7) The sheriff is ex officio tax collector.

(8) The corporation commission consisting of three members elected for six years. Acting as (1) the state board of tax commissioners, it exercises general supervision over tax listers and assessing officers, and is required to make an annual report to the governor. Acting as (2) a board of appraisers and assessors it assesses and values the property of railroad, telegraph, telephone, street railway, canal, and steamboat companies, and other companies exercising the right of eminent domain. Acting as (3) the state board of tax commissioners, it constitutes the state board of equalization.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All real and personal property is subject to taxation, except as exempted by statute.

(1) Real property, for purposes of taxation, includes not only the land itself, but also all buildings, structures, and improvements.

(2) Personal property includes moneys, goods, chattels, choses in action, and evidences of debt, including all things capable of ownership, not descendable to the heirs at law.

(3) Exemptions, in addition to public property, are: Property set apart for educational purposes; graveyards or burial lots; property of religious bodies, including the minister's residence; property of benevolent and charitable associations; property belonging to Y. M. C. A. and other similar religious associations; orphan and other asylums; reformatories, hospitals, and nunneries, including the endowment funds of same; property of Indians not citizens, except lands held by purchase; wearing apparel; private libraries; kitchen and household furniture not exceeding in value $25; growing crops. All corporate property is made liable to taxation and tax exemptions to corporations are repealed, except as property held for religious, charitable, educational, literary, or benevolent purposes, and cemeteries.

b. Assessment.—Every person owning property is required to make out, sign, and deliver to the assistant assessor a statement, verified by oath, of all real and personal property in his possession on the 1st day of May. Real property is listed in the township in which said property is situated. In listing mineral, quarry, or timber interests the owner shall describe the same in his list, together with the separate value of each separate tract of land in or on which the same shall be situated. An owner of separate timber interests shall list the same whether the timber be attached or detached from the soil.

All taxable polls and personal property located therein shall be listed in the township in which the person so charged resides on the 1st day of May. Goods and chattels situated in a township, town, or city other than that in which the owner resides are assessed in the township, town, or city where such property is located.

All property is required to be assessed at its true value in money which is held and deemed to be what the property would bring at cash sale when sold in such manner as such property is usually sold.

The assessment of real property is in force for four years except when improvements or deteriorations to the value of $100 have been made. Penalty for not listing property is $10 for every $100 withheld from the assessor.

Debts owing by any person may be deducted by the tax lister from the amount of the person's credits, and insurance companies may deduct from solvent credits an amount equal to their reinsurance reserve.

Corporations are required to make a report to the corporation commission on or before the 1st day of July each year, and shall estimate and appraise the capital stock at its actual value in cash on the 1st day of May, after deducting the assessed value of all real and personal estate upon which the corporation pays taxes, and the value of the shares of stock legally held by such corporation in other corporations incorporated in the state and paying taxes on their capital stock, as indicated by the amount of profit made; and when the same is truly appraised a certificate thereof shall be forwarded to the corporation commission.

If the corporation commission is not satisfied with the appraisement they are empowered to make a valuation based upon facts contained in reports.

There is a penalty of $50 for failure to report on or before the 1st day of July, and it is the duty of the corporation commission to add 5 per cent to the tax for each and every year said report is not furnished.

Companies taxed on capital stock are not assessed further on mortgages, bonds, or other securities and credits owned by them in their own right. Individual shareholders are not taxed on their stock. The corporation is required to pay the state tax on stock directly to the state treasurer.

Banks shall list real estate in district where located for the purpose of state, county, and municipal taxation, and shall, during the month of June, list annually with the corporation commission, in the name of and for its shareholders, all the shares of its capital stock at their market or actual value, on the 1st day of June. Lists of shareholders and number of shares, with value, owned by each resident of the county shall also be furnished to the county commissioners. Insolvent debts due banks may be deducted from the items of profits or surplus. Value is fixed by corporation commission. The rate of taxation is the same as for other moneyed capital.

The county commissioners of the county in which such banks are located shall assess against the value of shares of residents the tax imposed for school and county purposes, and shall assess against the value of the shares held by nonresidents of the state the said tax imposed for school, county, and municipal purposes, all of which taxes shall be paid to the sheriff of that county.

Shares of stock in building and loan associations are to be listed by the secretary with the corporation commission on the first Monday in June at their actual value. The actual value of shares pledged as security for loans are deducted. The secretary is to pay to the state treasurer the state tax, and to the sheriff the county tax and school tax. No other tax is to be charged on the association.

Foreign building and loan associations doing business in the state are required to list for taxation with the corporation commission, through their agent, the stock held by citizens of the state, county, city, or town where the owners of the stock reside. The stock is valued for taxation as other money investments of citizens of the state. Associations or officers who fail or refuse to list such shares owned by citizens of the state for taxation will be barred from doing business in the state.

Railroads are assessed by the corporation commission upon all property necessary for the construction and successful operation of the road or used in the daily operation. All machine and repair shops, general office buildings, storehouses, and contents located outside of the right of way and also real and personal property, other than the property returned to the corporation commission, shall be listed for purposes of local taxation with the list takers of the county where property is located.

The corporation commission values the tangible property and the franchise separately. The aggregate is apportioned to the counties according to the number of miles of road therein. All taxes due the state except for school purposes are paid direct to the state treasurer. The boards of county commissioners assess against the railroads only the tax imposed by the state for school purposes, and those imposed for county purposes.

Canal and steamboat companies are to be assessed like railroads.

Telegraph, telephone, express, sleeping car and similar car companies, freight, and refrigerator car companies, street railway, waterworks, electric light and power, gas, ferry, bridge, and canal companies and other corporations exercising the right of eminent domain are required to make an annual report to the corporation commission between the 1st and 20th day of June, verified by the oath of the officer or agent making the same, giving the total capital, value of shares, property subject to local tax, etc. The corporation commission shall thereupon value and assess the property so reported according to its true value; valuations are apportioned to the counties. All taxes due the state except for school purposes are paid direct to the state treasurer.

c. Equalization.—The county board of equalization equalizes the valuation of property by raising or lowering the assessment to make it conform to its true value in money and to the average valuations.

The state board of tax commissioners constitutes the state board of equalization for the purpose of equalizing the valuations on real property among the several counties in the state.

2. *Rate—*

An ad valorem tax of 45 cents on every $100 of the value of real and personal property is imposed as follows: General state purposes, 21 cents; pensions, 4 cents; public schools, 20 cents. The taxes for public schools are paid by the sheriff direct to the county treasurer.

3. *Collection—*

Taxes are due on the first Monday in October in each year and are collected by the sheriff of the county, who may levy on personalty after November 1. Taxes are a lien on real property assessed after June 1. Taxes due the state from corporations assessed by the state board of corporation commissioners are to be paid by the secretary of the company direct to the state treasurer. Companies failing to pay the tax are liable to suit and to a penalty of 50 per cent, to be included in the judgment.

B. POLL TAXES.

On each male between 21 and 50 years of age, except the poor and infirm, there is levied a poll tax of $1.35, the proceeds to be devoted to education and to the support of the poor.

C. THE INHERITANCE TAX.

Both real and personal property, passing by will or descent, or transfer made in contemplation of death, where the decedent was a resident or the property was located in the state, except to the husband or wife of the deceased, or for religious, charitable, or educational purposes, is subject to an inheritance tax as follows: Where the share of real or personal property is over $2,000, all in excess of $2,000 shall be taxed—(*a*) lineal issue or ancestor, brother or sister, or adopted child, 75 cents per $100; (*b*) descendant of brother or sister, $1.50 per $100; (*c*) brother or sister of father or mother, or descendant thereof, $3 per $100; (*d*) brother or sister of grandfather or grandmother or descendant thereof, $4 per $100; other collaterals and strangers, where the share is in excess of $2,000 and up to $5,000, $5 per $100; in excess of $5,000 and up to $10,000, $7.50 per $100; in excess of $10,000 and up to $25,000, $10 per $100; in excess of $25,000 and up to $50,000, $12.50 per $100; over $50,000, $15 per $100. If the tax is not paid at the end of two years, 6 per cent per annum shall be charged until paid.

This tax is payable to the state treasurer through the clerks of the county courts, and is for the benefit of the state.

D. CORPORATION TAXES.

On every corporation doing business in the state or organized under its laws (railroads, banks, building and loan associations, insurance companies, telegraph, express, and telephone companies excepted) an annual franchise tax is imposed: Capital stock, $25,000 or less, $5; $25,000 to $50,000, $10; $50,000 to $100,000, $25; $100,000 to $250,000, $50; $250,000 to $500,000, $100; $500,000 to $1,000,000, $200; over $1,000,000, $500. No county, city, or town shall have the power to levy any franchise tax. Foreign corporations maintaining an office or offices in the state for office work only, and not selling their goods or wares, pay an annual tax of $100.

Railroads pay a privilege tax according to gross earnings per mile: $1,000 or less per mile, per year, $2 per mile; $1,000 to $2,000 per mile per year, $3 per mile; $2,000 to $3,000 per mile, per year, $4 per mile; over $3,000 per mile, per year, $5 per mile. Tax is to be paid to state treasurer.

Express companies pay a license tax of 3 per cent on gross revenues derived from business done within the state. Telegraph companies pay 2½ per cent on gross earnings within the state. Telephone companies pay 2½ per cent on gross receipts within the state. Provided such company files a statement with the board of state tax commissioners, signed and sworn to by its principal officer, showing that at least one-fourth of its assets are invested and taxable in the state, the tax is 1½ per cent; if the amount so invested is one-half of its assets, the tax is 1 per cent; if the amount so invested is three-fourths of its assets, the tax is one-half of 1 per cent. No county, city, or town may levy an additional tax or license fee, except the ad valorem tax.

Insurance companies are taxed at the rate of 2½ per cent upon their gross receipts in the state in addition to the license and ad valorem property tax. But if one-fourth of the assets are invested in property taxable in the state, the tax is 1 per cent on gross receipts and the license is one-half of the amount named. If the amount invested is three-fourths of the total assets, the tax is to be one-fourth of 1 per cent and the license fee, one-fourth of the amount named. Companies paying these taxes are not liable for the tax on capital stock, and no county or municipality may impose any additional tax or fee.

E. BUSINESS TAXES, LICENSES, AND FEES.

License taxes for the privilege of carrying on business are levied as follows:

Theaters, annual, in cities or towns of 1,000 inhabitants or less, $10; over 1,000 to 3,000, $15; over 3,000 to 5,000, $50; over 5,000 to 10,000, $75; over 10,000 to 15,000, $100; over 15,000, $150. These licenses are issued by the sheriff, and one-half of the proceeds go to the state, and one-half to the county; no other state or county license, but cities may levy a tax not greater than the amount levied by the state. Traveling theatrical companies, per day, $5; artists exhibiting paintings or statuary, work of their own hands, per day, $2; all places of amusement charging not more than 10 cents admission, and performing in a given place as much as one week at a time shall only pay aforesaid tax for the week. Counties, cities, and towns shall not collect a greater amount than that of the state tax. Moving picture vaudeville shows, on each place where not licensed otherwise, as follows: In towns of less than 2,500 inhabitants, $10 per annum; 2,500 to 5,000, $20 per annum; 5,000 to 10,000, $40 per annum; 10,000 to 15,000, $50 per annum; more than 15,000, $100 per annum. Counties, cities, and towns shall not levy a greater amount than that of the state.

Circuses, menageries and other shows not licensed otherwise, are required to pay the following license fees for each day's performance: Shows requiring less than 15 cars, $25; 15 to 20 car trains, $50; 20 to 30 car trains, $75; 30 to 40 car trains, $100; 40 to 50 car trains, $150; 50 to 60 car trains, $200; 60 to 75 car trains, $250; over 75 car trains, $300; each side show requiring less than 30 cars, $10; all other shows, $25; every show charging more than 50 cents admission, $300. Counties may fix county tax not to exceed state tax.

On every carnival company and other like amusements conducted for profit in week stand engagements, with not more than six attractions, $50 for the state, and a like amount for the county; when consisting of more than six attractions, $75 for state and like amount for county. Towns and cities less than 10,000 inhabitants may levy a like tax not greater than for both state and county; cities of more than 10,000 inhabitants may levy a tax not greater than twice that levied for county and state. These fees do not apply when more than 25 cents admission is charged. Religious and charitable entertainments are exempt. Attorneys, physicians, dentists, oculists, photographers, opticians, osteopaths, architects, optometrists, veterinary surgeons, accountants, fire insurance adjusters, or any person practicing any professed art of healing for fee or reward, $5 (no city or town may levy additional license). Real estate and rent collecting agents, $10; wholesale coal dealers, $25; retail, $10; collecting agencies, and second-hand clothing dealers, $25; undertakers, embalmers, and retail coffin dealers in towns over 15,000, $25; 10,000 to 15,000, $15; 5,000 to 10,000, $10; less than 5,000, $5. Horse and mule dealers, $25; wholesale, $50; no county, city, or town may collect an additional tax; itinerant peddler of clocks, stoves, and ranges, $50 for each county; bicycle dealers in towns of 12,000 or over, $10; less than 12,000, $5; dealers in automobiles, $50. Commission merchants, brokers, or dealers, $10; ship brokers, $20; marine railways of 80 tons hauling capacity, $7.50; 80 to 150 tons, $15; over 150 tons, $30; pawnbrokers, $100. Livery stables, 50 cents for each six months for every horse or mule kept for hire; stable keepers selling more than five horses or mules in six months are classified as horse dealers and are required to pay an additional tax of $20. Manufacturers and dealers in sewing machines, $250; feather renovators, $10 for each county. Peddlers, on foot, $25; horse or other animal or vehicle, $50; patent medicines, etc., without advertising attractions, $50; with attractions, $100; itinerant salesman, $100. These peddlers' licenses are for each county. Mercantile agencies, $250; gypsies or fortune tellers, $200 in each county; lightning-rod agents, $25 per county. Hotels, more than $1 and less than $2 per day, per room, 25 cents; not less than $2 nor more than $3 per day, per room, 50 cents; hotels charging in excess of $3 per day, 75 cents per room; cotton compresses, per compress, $100. Billiard and pool tables and bowling alleys—with liquor, $50; others, $25; gift enterprises, prize photographs, $20; itinerant dealer in prizes of any kind, $100 in each county; slot machines, $1.50. Bagatelle table, merry-go-round, etc., in towns less than 5,000, $5; 5,000 to 10,000, $10; over 10,000, $20; if liquor is sold, $50; on each bagatelle table, merry-go-round, etc., outside of any incorporated city, $5. Skating rinks, in towns less than 5,000, $5; 5,000 to 10,000, $10; more than 10,000, $20. Stockbrokers, $50. Bottling works, in towns of 2,500 inhabitants or less, $10; over 2,500 and not exceeding 5,000, $20; 5,000 to 10,000, $30; 10,000 to 20,000, $40; over 20,000, $50. Packing houses, $100 for each county. Oil companies, where the gross sales exceed $25,000, 1 per cent upon such gross sales. Peddlers of agricultural implements and machinery, $25 per county; manufacturers and dealers in malt, $10. Druggists selling liquor, $25; dealers in pistols, $25; bowie knives, $100; fire crackers, $10; pianos and organs, $50, and in addition 40 cents of every $100 of sales. Cigarettes—manufacturers, under 250 millions, $250; 250 to 500 millions, $500; over 500 millions, $2,000 (no county or town license); retailers of cigarettes, $5. Public ferries, bridges, 1 per cent of gross receipts; emigrant agents, $100 for the state and $100 for the county in which agent does business; itinerant oculist, $5 for each county; itinerant optician or dealer in spectacles, $10 for each county; trading stamp concerns, $200. Marriage licenses, $1. Official seals—great seal of state, $1; seal of state department, 50 cents; seal of state treasurer, 50 cents. Insurance companies' license, life insurance, $250; fire insurance, $200; accident insurance, $200; marine insurance, $200; surety insurance, $100; plate glass and boiler insurance, $100; domestic mutual insurance, $50; fraternal order insurance, $25; bond investment, title guarantee, etc., $100; all other insurance companies, $100.

Certificate of incorporation, per $1,000 stock authorized, 20 cents (minimum, $25); increase of capital, per $1,000, 20 cents (minimum, $20); decrease of capital, $20; filing list of officers and directors, $1; dissolution of corporations, change of principal place of business, $5. Private bills to incorporate are taxed double the above fees.

Motor vehicle fees.—Certificate of registration for motor vehicles, $5, and $1 for renewal, paid secretary of state. Three dollars of the $5 fee shall be paid by the secretary of state to the county in which owner of the automobile resides.

F. THE INCOME TAX.

Taxpayers are required to show on their lists their gross incomes from all property not otherwise taxed—salary and fees, annuities, trades or professions, and to give the sources thereof. Upon the excess over $1,000, which is exempted, the rate of tax is 1 per cent on the gross income.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the methods of assessment and of equalization are the same for county as for state taxes.

2. *Rate—*

The rate of tax is determined by the board of county commissioners. The rate may never exceed double that of the state tax, except for a special purpose and with the special approval of the general assembly.

3. *Collection—*

The method of collection is the same as for state taxes.

B. POLL TAXES.

Every male inhabitant over 21 and under 50 years of age may be subjected to a poll tax equal to the tax on property valued at $300 in cash. The state and county capitation tax combined is never to exceed $2 per capita. (See also Poll taxes under State Revenues.)

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no county inheritance or special corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

In any case where a specific license tax is levied for the privilege of carrying on any business, trade, or profession, the county may levy the same tax as the state, and no more except on such as are specially excepted under the statute.

THE INCOME TAX.

Counties can not levy an income tax.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the methods of assessment and of equalization are the same for municipal taxation as for state.

2. *Rate—*

No municipal corporation is to levy more than 1 per cent on the assessed valuation except by special statute in each ordinance case.

3. *Collection—*

The method of collection is the same as for state and county.

B. POLL TAXES.

The aldermen or commissioners may levy a tax on polls taxable by the general assembly for state purposes, not to exceed $2.

C AND D. INHERITANCE, CORPORATION, AND INCOME TAXES.

There are no municipal inheritance, corporation, or income taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

The corporate authorities may tax privileges taxed for state and county purposes and all persons selling liquors, except druggists (at retail), per year, $25. They may also tax dogs, swine, horses, and cattle running at large within the corporate limits.

School Revenues.

The property and poll taxes levied by the state specifically for school purposes are paid by the sheriff to the treasurer of the county within which they are collected. The income of the permanent school fund and $125,000 appropriated by the legislature from the general state funds is apportioned among the counties by the state board of education on the basis of school population. The state makes additional annual appropriations for equalizing school facilities in the several school districts to enable each such district to maintain schools for at least four months each year. The county board of education apportions all taxes and other school moneys coming under its control among the various townships per capita.

If the state tax is insufficient for the support of schools in each school district for four months, a special tax may be levied by the county on all property, credits, and polls.

All proceeds of fines, penalties, and forfeitures, all moneys paid as exemption from military duty, and the net proceeds of licenses to liquor sellers and to auctioneers are appropriated to the public schools.

A special tax may be voted for the support of high schools. Cities, towns and school districts may vote to levy a special tax to supplement the public school fund.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

Poll tax, $1.43; state tax, 47½ cents on the $100.

An inheritance tax law was enacted as follows:

All property of whatever kind or nature passing by will or the intestate laws of the state from any person who may die seized or possessed of same while a resident of the state, or if decedent was not a resident of the state at the time of his death, such property or part thereof as may be within the state, or which may be transferred by deed, grant, sale, or gift, made in contemplation or to take effect after death, to any person or persons, or to bodies corporate or politic, is subject to a tax for the benefit of the state as follows:

Passing to lineal issue or lineal ancestor or husband or wife or to a person to whom the decedent has stood in the relation of a parent, at the rate of 1 per cent of the clear value; $10,000 to a widow, $5,000 to each child under twenty-one years of age, and $2,000 to each of the other persons mentioned is exempt. Grandchildren are allowed only the single exemption of the child they represent.

Passing to the brother or sister or a descendant of a brother or sister of the decedent at the rate of 3 per cent of the clear value.

Passing to the brother or sister of the father or mother or a descendant of a brother or sister of the father or mother of the decedent, at the rate of 5 per cent of the clear value.

Passing to the brother or sister of the grandfather or grandmother or a descendant of the brother or sister of the grandfather or grandmother of the decedent or to any person of any other degree of consanguinity, or to a stranger in blood or to a body politic or corporate, at the rate of 10 per cent of the clear value.

If this tax is not paid at the end of two years after the death of the decedent 6 per cent interest is charged until same is paid.

Income tax.—In excess of $1,250 to $2,500 the rate is 1 per cent; $2,500 to $5,000, 1½ per cent; $5,000 to $10,000, 2 per cent; $10,000 and over, 2½ per cent.

Corporations are required to pay a franchise tax of one-twenty-fifth of 1 per cent upon their subscribed or issued and outstanding capital stock, but the tax shall not be less than $7.50. Foreign corporations pay the same tax rate.

The legislature appropriated the sum of $250,000 to be apportioned annually among the counties by the state board of education according to the per capita of school population; $1,500 of above sum is to be deducted annually for the part payment of the salary and expenses of the superintendent of the state colored normal schools and inspector and director of the county teachers' institutes and of the teachers' training work of the state; there shall also be deducted biennially therefrom in advance $7,500 to be used for the establishment of rural libraries.

There shall be set aside 5 cents on the $100 of the ad valorem tax collected by the state to be known as "The state equalizing school fund" to be used for the purpose of providing six months school terms in every school district in the state or as nearly as the fund will permit.

NORTH DAKOTA.[1]

North Dakota depends almost entirely upon the general property tax for state, county, and municipal revenues. An inheritance tax was adopted in 1903. There are no special corporation taxes, except a tax on fire insurance premiums, which goes to the support of the municipal fire departments.

CONSTITUTIONAL PROVISIONS.

ARTICLE II.

SEC. 174. The legislative assembly shall provide for raising revenue sufficient to defray the expenses of the state for each year, not to exceed in any one year 4 mills on the dollar of the assessed valuation of all taxable property in the state, to be ascertained by the last assessment made for state and county purposes, and also a sufficient sum to pay the interest on the state debt.

SEC. 175. No tax shall be levied except in pursuance of law, and every law imposing a tax shall state distinctly the object of the same, to which only it shall be applied.

SEC. 176. Laws shall be passed taxing by uniform rule all property according to its true value in money, but the property of the United States and of state, county, and municipal corporations, both real and personal, shall be exempt from taxation; and the legislative assembly shall by a general law exempt from taxation property used exclusively for school, religious, cemetery, or charitable purposes and personal property to any amount not exceeding in value $200 for each individual liable to taxation; but the legislative assembly may, by law, provide for the payment of a per centum of gross earnings of railroad companies to be paid in lieu of all state, county, township, and school taxes on property exclusively used in and about the prosecution of the business of such companies as common carriers, but no real estate of said corporation shall be exempted from taxation in the same manner and on the same basis as other real estate is taxed, except roadbed, right of way, shops, and buildings used exclusively in their business as common carriers, and whenever and so long as such law providing for the payment of a per centum on earnings shall be in force, that part of section 179 of this article relating to assessment of railroad property shall cease to be in force.

The legislative assembly may further provide that grain grown within the state and held therein in elevators, warehouses, and granaries may be taxed at a fixed rate.

SEC. 177. All improvements on land shall be assessed in accordance with section 179, but plowing shall not be considered as an improvement or add to the value of land for the purpose of assessment.

SEC. 178. The power of taxation shall never be surrendered or suspended by any grant or contract to which the state or any county or other municipal corporation shall be a party.

SEC. 179. All property, except as hereinafter in this section provided, shall be assessed in the county, city, township, town, village, or district in which it is situated, in the manner prescribed by law. The franchise, roadway, roadbed, rails, and rolling stock of all railroads; and the franchise and all other property of all express companies, freight line companies, car equipment companies, sleeping car companies, dining car companies, telegraph or telephone companies, or corporations operated in this state, and used directly or indirectly in carrying persons, property, or messages, shall be assessed by the state board of equalization at their actual value, and such assessed valuation shall be apportioned to the counties, cities, towns, villages, townships, and districts in which such railroad companies, express companies, sleeping car companies, telegraph and telephone companies are located or through which they are operated, as a basis for taxation for such property, in proportion to the number of miles of such property within such counties, cities, towns, villages, townships, and districts. But should any railroad allow any portion of its roadway to be used for any purpose other than the operation of a railroad thereon, such portion of its roadway, while so used, shall be assessed in the manner provided for the assessment of other real property.

[1] This compilation is derived mainly from the following sources:
Revenue and Taxation Laws of the State of North Dakota, 1905. Published by authority.
The Revised Code of the State of North Dakota, 1899 and 1905.
The Session Laws to 1913.

SEC. 180. The legislative assembly may provide for the levy, collection, and disposition of an annual poll tax of not more than $1.50 on every male inhabitant of this state over 21 and under 50 years of age, except paupers, idiots, insane persons, and Indians not taxed.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Township assessor, elected annually with the other town officers.

(2) City assessor, appointed in each even numbered year by the mayor, with the approval of the city council.

(3) County assessors, in counties not organized into civil townships, elected for two years.

(4) County treasurer, elected every two years, and eligible for not more than two terms.

(5) Township board of review, composed of the board of supervisors of each township, the board of trustees of each incorporated village, and the mayor and aldermen from the several wards of each city.

(6) The city board of equalization, composed of the mayor and city council; in cities organized on the commission plan, the commission.

(7) Village board of equalization, composed of the board of trustees.

(8) County board of review and equalization, composed of the board of county commissioners.

(9) State board of equalization, composed of the governor, state auditor, state treasurer, attorney general, and the commissioner of agriculture and labor.

(10) State tax commission.

By chapter 303, Laws of 1911, a tax commission was created, the members thereof to be appointed by the governor, one member to be appointed for a term of two years, one for four years, and one for six years, and thereafter each member is to be appointed for a term of six years.

This board is to have and exercise general supervision over the administration of the assessment and tax laws of the state, over assessors, boards of review, and boards of equalization, to the end that all assessments of property be made relatively just and equal at true value.

Also has power to inquire into the system of accounting of public funds in use in townships, cities, villages, and counties, and to make needed recommendations for a uniform system of accounts of the receipts and disbursements of public funds in municipalities of the state.

Is to assess at their actual value all light, heat, and power companies doing business in the state.

Is to consult and confer with the state board of equalization and aid them in the discharge of their duties.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All real and personal property in this state, and all personal property of persons or corporations residing or doing business therein, except as specially exempted, is subject to taxation

(1) Real property, for the purposes of taxation, includes the land itself, whether laid out in town lots or otherwise, and all buildings, structures, and improvements, and all rights and privileges, and mines and quarries appertaining thereto.

(2) Personal property includes all goods, chattels, credits, moneys, and effects wheresoever they may be; and all ships, boats, vessels, whether at home or abroad, and all capital invested therein; all moneys at interest, whether within or without the state, due the person to be taxed, and all other debts due such persons; all public stocks and securities; all stock in turnpikes, railroads, canals, and other corporations, except national banks out of the state, owned by inhabitants of this state; the income of any annuity, unless the capital of such annuity be taxed within the state; all improvements made upon lands held under laws of the United States, the title to which is in any railroad company or other corporation not subject to the same mode and rule of taxation as other property. The gas and water mains and pipes laid in roads, etc., are personal property. The statute enumerates 27 classes.

(3) Exemptions, in addition to public property, are: Schools, academies, colleges, and institutions of learning, with the books and furniture therein, and grounds not to exceed 40 acres, not used with a view to profit; property used for religious purposes, including parsonages, and land not in excess of 1 acre; cemeteries; buildings for purely public charity; public hospitals, and all moneys and credits of each institution; and personal property of each individual to the amount of $10. Property of posts, lodges, chapters, commanderies, and like organizations not organized for profit and used for places of meeting; property of any agricultural fair association not conducted for profit to any of its members. Exempted property is to be assessed and valued as other property.

b. Assessment.—There is but one assessment for state, county, and city purposes. All counties or parts of counties not organized into civil townships are divided into assessors' districts; each organized civil township and each city constitutes such a district. All property is required by statute to be assessed annually at its full cash value on April 1, and the district assessor is to determine the true and full value of each tract and parcel of real property by actual examination. A statement of personal property, verified by oath, is to be made by the owner, with reference to the value, on the 1st day of April. It is the duty of the assessor to fix the true and full value of all items of personal property and he is to take as a basis the price at a fair voluntary sale for cash. Refusal to list or swear to the statement is to be noted by the assessor and prevents any application for correction of the assessment as made by the assessor. Refusal is a misdemeanor and a false list is perjury.

In unorganized counties taxation is administered by the county to which it is attached for judicial purposes, and taxes are assessed for state purposes only.

Stockholders of every bank, state and national, are assessed on their stock where the bank is located. As a basis for valuation of the shares the assessor is to deduct the amount of investment in real estate from the aggregate amount of capital and surplus and undivided profits.

Corporations are, in general, assessed as individuals, except railways, including street railways, and certain other public service companies, which are assessed by the state board of equalization. The capital stock and franchises are to be listed where the principal office is located. The aggregate amount of indebtedness except for current expenses, not paid for purchase or improvement of property and the value of real and personal property are both deducted from the market value of the shares of stock. The remainder is then listed as "bonds and stocks." Such stock need not be listed by the shareholder.

The state board of equalization assesses the value of the franchise, roadway, roadbed, rails, and rolling stock of all railroads, including street railroads, operated in the state. Apportionment is made

by the board to counties according to mileage. The county auditor apportions the valuation to the cities, towns, townships, and districts, and the same is to be taxed in each county as personal property.

The property and franchises of express, telegraph, telephone, freight line, and equipment companies, and sleeping and dining car companies are assessed by the state board of equalization. The apportionment is the same as that of railroad valuation.

The property of itinerant, transient, or other merchants, salesmen, or other persons and of all merchants and salesmen of bankrupt stock, etc., brought into the state after the regular assessment, is to be assessed, when found, as other property.

All lignite coal and mineral underlying any land, the ownership of which minerals has been severed from the ownership of the overlying strata, is assessed separately.

c. Equalization.—The city board of equalization equalizes and corrects assessments and may increase or decrease assessments. The township board of review equalizes the assessment between individuals in its township or district and supplies omissions.

The county board of review and equalization equalizes the assessment made in the districts not embraced in an incorporated city, town, village, or civil township. This board also equalizes between the several assessment districts, but it is not to reduce aggregate values of the county. An appeal from its decision lies to the district court. Town and municipal officers are to advise with the board.

The state board of equalization equalizes assessments between the several counties of the state. It may raise or lower the assessment of property of either class or the aggregate in any county. It may not reduce the aggregate valuation more than 1 per cent.

2. *Rate*—

The state tax is levied by the state board of equalization and is to be the amount necessary to meet the appropriation of the legislative assembly and the estimated general expenses of the state. The rate of the general state tax is not to exceed 4 mills on the dollar.

The state board of equalization levies a special tax of one-half of 1 mill for the state "wolf bounty fund."

For the purpose of providing for the maintenance, etc., of certain state educational institutions a tax of 1 mill may be levied.

3. *Collection*—

Taxes are collected by the county treasurer for state, county, city, town, school, poor, bridge, road, or other purposes. All taxes become due on the 1st day of December, and delinquent on the 1st day of March, after which date a penalty of 5 per cent attaches to both real and personal property taxes; on the 1st day of June following an additional penalty of 2 per cent, and on the 1st day of November following, a third penalty of 3 per cent on the original taxes against real estate is charged. After the 1st day of March interest at the rate of 1 per cent per month on the original amount of tax on the personal property is charged until the tax is paid. Collection of personal taxes may be enforced by distress and sale of such property. Personal property taxes become a lien on the property at the time when assessment is made. Taxes on real property are made a perpetual lien upon the property assessed. The collection of taxes on real property is enforceable by sale.

B. POLL TAXES.

There is no state poll tax.

C. THE INHERITANCE TAX.

All property within the jurisdiction of the state, whether belonging to the inhabitants of the state or not, passing by will, or by the laws of inheritance of this or any other state, or by deed, grant, sale, or gift, intended to take effect after the death of the donor, shall be subject to a tax of 2 per cent of its valuation above $25,000. Estates passing to the father, mother, husband, wife, lineal descendant, adopted child, the lineal descendant of an adopted child, or to charitable, educational, or religious societies or institutions within the state shall be exempt. Real estate of decedent shall be appraised within 30 days after the appointment of an executor.

This tax is payable to the state treasurer for the use of the state. It is due and payable within 15 months of the death of the testator or intestate, and draws interest at 8 per cent from the time due until paid.

D. CORPORATION TAXES.

Corporations are, in general, taxed under the general property tax.

Every insurance company doing business in the state except joint-stock and mutual companies organized under the laws of the state is required to pay to the commissioner of insurance 2½ per cent of the gross amount of premiums received in the state for the year. An amount equal to 2 per cent of the gross premiums is paid by the state to the city, town, or village in which the insured property is located.

The old gross earnings tax on railroads was declared unconstitutional in 1891 and does not appear in the later codes.

E. BUSINESS TAXES, LICENSES, AND FEES.

The following are annual taxes:

Commission merchants, $5; ticket agents, $5. Grain elevators pay an annual license to the state treasurer as follows: Capacity, 12,000 bushels or less, $8; 12,000 to 25,000 bushels, $10; 25,000 to 50,000 bushels, $12; 50,000 to 80,000 bushels, $20; over 80,000 bushels, $25. Coal mine operators pay an annual license fee of $5 for each mine to the commissioner of agriculture and labor. Creameries and cheese factories, $10, paid to dairy commissioner. Nonresident hunter's license, $25, paid to game and fish board of control. To practice osteopathy within the state, $20. Transient merchants are required to pay $75 per annum for license to state treasurer. Railroad and steamboat companies pay a license fee of $5 for each agent or ticket seller. Storage companies, $10 per annum.

Corporations, etc., employing agents or traveling salesmen, or soliciting for the sale of nursery stock pay a license fee of $10 to the director of the experiment station.

Stallion registration board to be paid a fee not to exceed $2 for examination and enrollment of each pedigree and issuance of license for each stallion or jack. Fee for renewal (annual), $1. Transfer of license, 50 cents.

Embalmers' examination and license fee, $5; renewal of license, $3.

Under the pure food law the following license fees are paid to the agricultural experiment station for each brand, etc., of liquor manufactured or offered for sale: For single brand of whisky, rum, or brandy, $150; each additional brand, $75; malt liquor, $10; brand or class of wine, $25; brand or class of cider, $10; artificial ales and other beverages, $50; and each brand or class of pops, $10.

Manufacturers, etc., of concentrated commercial feeding stuff pay a license fee of $15 for each brand sold or offered for sale. Fees paid to agricultural experiment station.

Any nonresident owner of live stock who brings such stock into state for herding or breeding purposes is required to pay into treasury of the county thus entered the sum of 50 cents per month for each head of stock so entering; this in addition to other taxes.

Grain in warehouses is taxed as follows: Flax, one-half of 1 cent per bushel; wheat, three-eighths of 1 cent per bushel; oats, barley, corn, spelt, and rye, one-eighth of 1 cent per bushel.

Fees for copy of any document or paper on file, 25 cents per folio. For affixing certificate and seal to any document, $1. For signature and seal, 50 cents. Filing articles for domestic corporations for profit, $5; other domestic corporations, $2. Articles of incorporation for foreign corporations, $20. Certificates of appointment of attorney, $5. Issuing certificate of corporate existence of domestic corporations, $3. Recording official bond, $2. For searching records, $1. Filing notice of removal of place of business, $3. Filing certificate of increase or decrease of capital, $3. For issuing certificate of increase or decrease of capital, $3. Filing certificate of continuance of existence of corporation, $3. For issuing such certificate, $3. Recording miscellaneous papers, 25 cents per folio, and for filing any other paper not provided for, $1.

Every incorporated company or joint-stock company, other than railroads, banking, insurance, or religious corporations and corporations not organized for pecuniary profit, authorized to do business in the state, pay a fee of $2.50 for filing annual statement.

Mining corporations are required to pay a fee of $25 to secretary of state for filing statement of financial conditions, etc.

Insurance companies, filing articles of incorporation or copies thereof, $25; filing annual statement, $2.50; certificate of authority, $2. There is also the usual reciprocal provision as to reciprocal taxes, licenses, and fees upon foreign insurance companies.

Every corporation for profit, except irrigation, water users' associations, building and loan associations, county mutual insurance, manufacturers of dairy products, agricultural fair associations, corporations whose capital stock does not exceed $5,000 formed for improvement of stock, corporations whose capital stock does not exceed $2,000 formed for purchase of musical instruments, and corporations whose capital stock does not exceed $5,000 formed for the purpose of baseball and football teams, and other athletic associations when composed of nonsalaried players, are required to pay into the state treasury, on filing articles of incorporation, the sum of $25 for the first $25,000 or fraction thereof of the capital stock, and $50 for $25,000 up to $50,000 capital stock, and the further sum of $5 for every additional $10,000 or fraction thereof of its capital stock.

Every corporation placed under the jurisdiction of this board shall, if a new corporation, prior to receiving its certificate of authority to commence business, and in all cases within 10 days after each examination, pay into the state treasury the following fees: Capital stock of $25,000 or less, $33; $25,000 to $50,000, $58; for each $10,000 or fraction thereof over $50,000, $5. Building and loan associations, mutual investment corporations, and other corporations of a mutual character, with no capital stock, shall pay a semi-annual fee of $25 for the first $100,000 assets, and $5 for each additional $100,000 or fraction thereof of assets.

Veterinary surgeons, for certicate or diplomas of examination and registration, $15, and $3 annually thereafter for such time as applicant shall continue to practice. Fees are paid over to the state treasurer.

Automobile.—Registration and reregistration, $3; transfer fee, $1; duplicate certificate of registration, $1. Physicians and surgeons, examination and license, $25; same for reciprocity license. Optometry.—Examination, $10; certificate to practice, $5 (funds for use of examining board). Director of experiment station collects an inspection fee of $5 for each 10 acres of land devoted to growing nursery stock (inspection after September 15).—Examination of stallion or jack, $5. Dentists, examination, $25 for first, and $10 for each subsequent examination; reciprocity license, $50; annual license fee, $2; registration in county where practicing, 50 cents; certified copy upon removal, $1; duplicate certified copy (from board), $1. Inspector of hotels collects following fees: Less than 10 rooms, $2.50; 10 to 20 rooms, $5; 20 to 50 rooms, $10; 50 or more rooms, $20. Inspector of oil collects 25 cents for testing a barrel or less quantity of oil. State engineer collects fees ranging from $1 to $20 for services in connection with water rights of the state. Superintendent of public instruction collects following fees for teachers' certificates: Life professional certificate, $5; state certificate, $3; special certificate, $2. Funds go to provide and maintain teachers' reading circles, etc.

F. THE INCOME TAX.

There is no income tax in North Dakota.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the methods of assessment and of equalization are the same for county as for state taxes.

2. *Rate*—

County taxes are to be levied in specific amounts by the county commissioners, and are to be based upon an itemized statement of the county expenses for the ensuing year and of the outstanding indebtedness. No greater levy is to be made than will equal the amount of such expense plus 5 per cent of such amount, together with the amount of one year's interest upon and 10 per cent of the principal of the outstanding debt.

This is not to exceed 8 mills on the dollar for ordinary county revenue, including the support of the poor, 2 mills on the dollar for a bridge tax, nor 8 mills on the dollar for a road tax, to be paid in money or labor at the rate of $1.50 per day; a further tax of not to exceed 2 mills on the dollar for emergency purposes; and for county sinking fund such a sum as will pay interest for one year and 10 per cent on the principal, or as fixed by the legislative assembly. The commissioners are authorized to levy half of 1 mill on the dollar upon all real estate in the county for destruction of gophers. For schools the tax is 2 mills on the dollar.

Upon proper vote the county commissioners may levy a tax to raise not less than $10,000 nor more than $20,000 for the purpose of providing for county agricultural and training school. After such school is established a tax may be levied to cover half the cost of maintenance of such school. The state pays the other half.

Under certain prescribed conditions the county commissioners may levy a tax not to exceed one-fourth of 1 mill to aid county fairs.

In counties having a population of 2,000 or more, there may be levied an additional tax of not more than 1 mill for road purposes.

3. *Collection*—

Collection of county taxes is the same as that of state taxes. Each county is responsible to the state for the full amount of tax levied for state purposes.

B. POLL TAXES.

The county auditor may levy a tax of $1 on each elector in the county for the support of the common schools.

A poll tax of $1.50 may be levied by the county commissioners in unorganized territory, and by the board of township supervisors in organized townships, on every male person between 21 and 50 years of age for roads and bridges. This can be paid in labor in lieu of money.

C. AND D. INHERITANCE AND CORPORATION TAXES.

Counties do not levy inheritance or corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

Resident hunters are required to pay the county $1 for license; nonresident, $25.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the methods of assessment and of equalization are the same for all township, town, city, and school district taxes as for the state.

The city assessor performs all duties necessary for the assessing of property within the city for city, county, school, and state taxes.

The village assessor performs all duties necessary for the assessing of property within the village for purposes of levying village, county, school, and state taxes. The board of equalization is composed of the board of trustees of said village.

2. *Rate*—

The electors at the annual township meeting may vote such sum for the repair and construction of roads and bridges, for the support of the poor, and for all township charges as they think expedient. The road tax is not to exceed 8 mills nor the bridge tax 2 mills.

Cities, towns, and villages having not less than 3,000 inhabitants may levy taxes as follows:

Interest fund for bonds, 12 mills on the dollar; sinking fund for bonds, 4 mills on the dollar; for school purposes, 20 mills on the dollar; municipal purposes generally, 20 mills on the dollar.

The city council may levy a tax not to exceed 10 mills for purpose of paying judgments against such city.

The park commission of any incorporated city may levy a tax not to exceed 3 mills for park purposes.

The city council of each city, not exceeding in population 50,000 inhabitants, and each village or township board of every village and township containing over 400 inhabitants, may levy a tax not exceeding 4 mills to establish and maintain a public library and reading room.

The board of trustees of a village may levy a tax not to exceed 10 mills for village purposes.

3. *Collection*—

The collection of these, as of state taxes, is made by the county treasurer.

B. POLL TAXES.

Every male inhabitant above 21 and under 50 years of age, except paupers, idiots, and lunatics, is to be assessed one day's labor in each year.

All road taxes collected from residents of any city, town, or village by the treasurer of the county are to be turned over to the municipality.

C. THE INHERITANCE TAX.

There is no municipal inheritance tax.

D. CORPORATION TAXES.

Every city, town, or village is entitled to receive 2 per cent of the insurance premiums paid on policies on property therein, for the support of its organized fire department. This tax is collected by the state treasurer.

E. BUSINESS TAXES, LICENSES, AND FEES.

The city council has power to fix the amount, terms, and manner of issuing licenses to fortune tellers, astrologers, persons practicing palmistry, clairvoyancy, mesmerism and spiritualism, hawkers, peddlers, pawnbrokers, keepers of ordinaries, theatrical exhibitions, shows and amusements, ticket scalpers and employment agencies, hackmen, omnibus drivers, carters, cabmen, draymen, porters, expressmen, watermen, runners for public houses; billiards, bagatelle, and other games in any place of public resort; auctioneers, lumberyards, public scales, money changers, and brokers. Dogs, $2; female dogs, $5. Villages have the same powers.

In addition to a state license, transient merchants are required to pay not to exceed $25 per day to treasurer of city or village where the business is conducted.

School Revenues.

The state tuition fund, composed of the net proceeds of fines and penalties, the interest and income from the permanent school fund, and the leases of school lands, is apportioned among the counties of the state in proportion to the number of children of school age and in the same manner among the several school districts of the county.

Each district school board may levy a tax for school purposes upon the property of the district not to exceed 30 mills on the dollar.

Special school districts may be formed and taxes levied to pay interest and principal on bonded indebtedness contracted for support of each district.

For school purposes in territory adjacent to special school districts the board of education may levy a tax not to exceed 30 mills.

A tax not to exceed 20 mills may be levied in school districts for the purpose of paying final judgments.

Independent school districts may be formed and taxes levied to meet part of the expense of employing teachers, etc., and not to exceed 20 mills for the purpose of providing buildings, etc.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

A new inheritance tax law was enacted as follows: A tax shall be and is hereby imposed upon the transfer of any property or interest therein or income therefrom, in trust or otherwise, to any person not hereinafter exempt, in the following cases:

When the transfer is by will or the intestate laws of this state from any person dying possessed of the property while a resident

of the state, or when the property is within this state or within its jurisdiction whether the ownership of or interest in such property be evidenced by certificate of stock or bonds of foreign or domestic corporations and the decedent was a nonresident at the time of his death.

When the transfer is of property made by a resident or by a nonresident when such nonresident's property is within the state or within its jurisdiction, by deed, grant, bargain, sale, or gift made in contemplation of the death of the grantor, vendor, or donor, or intended to take effect in possession or enjoyment at or after death.

Provided that no tax shall be imposed upon any tangible personal property of a resident decedent when such property is located without the state and when the transfer of such property is subject to an inheritance tax in the state where located, and which tax has actually been paid; provided, further, that such property is not without the state temporarily nor for the sole purpose of deposit or safe-keeping; and providing the laws of the state where such property is located allow a like exemption in relation to such property left by a resident of that state and located in this.

Rates and exemptions.—Upon the transfer of property of the value of $100,000 or less, the rate of tax on all sums above the first $20,000 when the same shall pass to husband or wife and on all sums above the first $10,000 when to the father, mother, lineal descendant, adopted child, or lineal descendant of an adopted child, the rate shall be 1 per cent; and on all sums above $100,000 and up to $250,000, the rate shall be 2 per cent; over $250,000 and up to $500,000, the rate shall be 2½ per cent; over $500,000, 3 per cent.

Upon the transfer of property of the value of $25,000 or less, on all sums above the first $500 where the same is to a brother or sister, a wife or widow of a son, or the husband of a daughter of the decedent, 1½ per cent; over $25,000 and up to $50,000, 2½ per cent; over $50,000 and up to $100,000, 3 per cent; over $100,000 and up to $500,000, 3½ per cent; over $500,000, 4½ per cent.

Upon the transfer of property of the value of $25,000 or less, when to a brother or sister of the father or mother or a descendant of the brother or sister of the father or mother of the decedent, 3 per cent; over $25,000 and up to $50,000, 4½ per cent; over $50,000 and up to $100,000, 6 per cent; over $100,000 and up to $500,000, 7½ per cent; over $500,000, 9 per cent.

Upon the transfer of property of the value of $25,000 or less when to a person in any other degree of collateral consanguinity than hereinbefore stated, or to a stranger in blood of the decedent, or to a body politic or corporate, the rate shall be 5 per cent; and on all sums above $25,000 and up to $50,000, 6 per cent; over $50,000 and up to $100,000, 9 per cent; over $100,000 and up to $500,000, 12 per cent; over $500,000, 15 per cent.

Upon the transfer of property to collateral relations or strangers in blood who are aliens not residing in the United States, or to corporations not chartered by the United States Government or any state, 25 per cent.

All taxes are due one year from the death of the decedent, except in the case of a limited, conditioned, dependent, or determinable estate, in which cases the taxes become due and payable upon possession, and are payable to the county treasurer and then turned over to the state treasurer for the use of the state.

The tax is a lien on the property embraced, and if the tax is not paid within one year from the accruing thereof, 7 per cent interest per annum is charged.

Exemptions.—All bequests and devises of property within the state when for the relief of aged, indigent, and poor, maintenance of sick or mained, or for the support or education of orphans or indigent children, shall be exempt from the tax.

Tax exemptions.—Personal property subject to taxation to the amount of $50.

County commissioners were authorized to levy a tax not to exceed ½ of 1 mill, the proceeds to be used solely for the purpose of promoting and assisting immigration to the state. They were also authorized to levy a tax not to exceed ½ mill for the promotion of diversified farming and agricultural development. In each county having a population of 2,000 or more they were directed to levy a tax of not less than ¼ of a mill nor more than 4 mills for the county road fund.

The tax for the maintenance of state educational institutions was raised to 1½ mills. A tax of ¼ of a mill for the years 1914, 1915, and 1916 was levied for the establishment of terminal elevator systems.

A "Blue Sky" law was enacted regulating investment companies and providing various fees, etc.

Villages were authorized to levy a tax of not to exceed 10 mills for water and light plants.

OHIO.[1]

Ohio has in the past few years in large measure separated state from local taxation. Over three-fourths of the revenues for the support of the state government are now derived from a gross earnings tax, commonly called "excise" tax, on public utility corporations, franchise tax on domestic and foreign corporations, and from liquor licenses. In 1912 the only general ad valorem tax levied by the state was for the sinking fund, state university, and common school fund, the aggregate levy for these purposes being .451 of 1 mill on the dollar. The principal revenues for counties, townships, cities, and villages are derived from the general property tax.

As a result of carrying out the provisions of the law creating the tax commission, passed by the legislature in 1910, the assessed valuation of real property subject to ad valorem taxes was increased from about one-third of the true value to the actual value. This increase in the assessed valuation resulted in a general limitation of the rate of levy. In 1911 the aggregate amount of taxes which could be levied in any taxing district, including sinking fund and interest levies for state, county, township, municipal, school, and all other purposes, was limited to the aggregate amount of taxes levied in the year 1910. The law further provided that the levy in 1912 should not exceed the aggregate levied in 1910 by more than 6 per cent; that the aggregate in 1913 should not exceed the aggregate in the year 1910 by more than 9 per cent, and that the aggregate in the year 1914 or any year thereafter should not exceed the levy of 1910 by more than 12 per cent.

CONSTITUTIONAL PROVISIONS.

ARTICLE X.

SEC. 7. The commissioners of counties, the trustees of townships, and similar boards shall have such power of local taxation for police purposes as may be prescribed by law.

[1] This compilation is derived mainly from the following sources:
Public Laws of Ohio to 1913.
The General Code of Ohio, 1910.
The Annual Report of the Ohio Tax Commission, 1911 and 1912.

ARTICLE XII.

SEC. 1. The levying of taxes by the poll is grievous and oppressive, therefore the general assembly shall never levy a poll tax for county or state purposes.

SEC. 2. Laws shall be passed taxing by a uniform rule all moneys, credits, investments in bonds, stocks, joint-stock companies, or otherwise; and also all real and personal property, according to its true value in money, excepting bonds of the state of Ohio, bonds of any city, village, hamlet, county, or township in this state, and bonds issued in behalf of the public schools of Ohio and the means of instruction in connection therewith, which bonds shall be exempt from taxation; but burying grounds, public schoolhouses, houses used exclusively for public worship, institutions of purely public charity, public property used exclusively for any public purpose, and personal property to an amount not exceeding in value $200 for each individual may, by general laws, be exempted from taxation; but all such laws shall be subject to alteration or repeal, and the value of all property so exempted shall from time to time be ascertained and published, as may be directed by law.

SEC. 3. The general assembly shall provide by law for taxing the notes and bills discounted or purchased, moneys loaned, and all other property, effects, or dues of every description (without deduction) of all banks now existing or hereafter created, and of all bankers, so that all property employed in banking shall always bear a burden of taxation equal to that imposed on the property of individuals.

SEC. 4. The general assembly shall provide for raising revenue sufficient to defray the expenses of the state for each year, and also a sufficient sum to pay the interest on the state debt.

SEC. 5. No tax shall be levied except in pursuance of law; and every law imposing a tax shall state distinctly the object of the same, to which only it shall be applied.

SEC. 6. The state shall never contract any debt for purposes of internal improvement.

SEC. 11. No bonded indebtedness of the state or any political subdivision thereof shall be incurred or renewed unless, in the legislation under which such indebtedness is incurred or renewed, provision is made for the levying and collecting annually by taxation an amount sufficient to pay the interest on said bonds, and to provide a sinking fund for their final redemption at maturity.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Quadrennial city boards of assessors of real property.

(2) Boards of review in cities, which sit also as boards of equalization and revision.

(3) The budget commissioners for the annual adjustment of the rates of taxation, composed of the county auditor, the mayor of the largest municipality in the county as shown by the last Federal census, and the prosecuting attorney.

(4) Annual boards of equalization of real and personal property, moneys, and credits in counties.

(5) Quadrennial county boards of equalization of real property outside of cities, which also sit as boards of revision, composed of county auditor, county surveyor, and the three members of the board of county commissioners, all elective.

(6) The county auditors, elected for a term of three years.

(7) The county treasurers, elected for two years, who collect state, county, and local taxes.

(8) The auditor of state, elected for a term of four years.

(9) The state board of appraisers and assessors, composed of the auditor of state, state treasurer, attorney general, and secretary of state.

(10) The tax commission of Ohio appointed by the governor, composed of three members.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All property in the state, whether real or personal, and whether belonging to individuals or corporations, and all moneys, credits, investments in bonds, stocks, or otherwise of persons residing in the state are declared to be subject to taxation, except only such as may be expressly exempted. (See Exemptions.)

(1) Real property includes not only land itself, with all things contained therein, but, unless otherwise specified, all buildings, improvements, and fixtures, with all rights and privileges pertaining thereto. The roadbed, water and wood stations, and such other realty as is necessary for the daily running of railroads is classed as personal property.

(2) Personal property includes every tangible thing being the subject of ownership, whether animate or inanimate, other than money, and not forming part of any parcel of real property, as hereinbefore defined; the capital stock, undivided profits, and all other means not forming part of the capital stock of every company, whether incorporated or unincorporated, and every share, portion, or interest in such stock, profits, or means, by whatsoever name the same may be designated, inclusive of every share or portion, right, or interest, either legal or equitable, in and to every ship, vessel, or boat, of whatsoever name or description, used or designed to be used either exclusively or partially in navigating any of the waters within or bordering on this state, whether such ship, vessel, or boat shall be within the jurisdiction of this state, or elsewhere, and whether or not the same shall have been enrolled, registered, or licensed at any collector's office or within any collection district in this state; the money loaned on pledge or mortgage of real estate, although a deed or other instrument may have been given for the same, if between the parties the same is considered merely as security.

"Money," or "moneys," is any surplus or undivided profits held by societies for savings or banks having no capital stock, gold and silver coin, bank notes of solvent banks in actual possession, and every deposit which the person owning, holding in trust, or having the beneficial interest therein is entitled to withdraw in money on demand.

"Investment in bonds" are all moneys in bonds, or certificates of indebtedness, or other evidences of indebtedness of whatever kind, whether issued by incorporated or unincorporated companies, towns, cities, villages, townships, counties, states, or other incorporations, or by the United States, held by persons residing in this state, whether for themselves or others. (See Exemptions.)

"Investment in stocks" are all moneys invested in the capital or stock of any association, corporation, joint-stock company, or other company, the capital stock of which is or may be divided into shares which are transferable by each owner without the consent of the other partners or stockholders, for the taxation of which no special provision is made by law, held by persons residing in the state, either for themselves or others. (See Exemptions.)

"Credits" are the excess of the sum of all legal claims and demands, whether for money or other valuable thing, or for labor or services due or to become due to the person liable to pay taxes thereon, including deposits in banks or with persons in or out of this state, other than such as are held to be money as hereinbefore defined, when added together (estimating every such claim at its true value in money), over and above the sum of legal bona fide debts owing by such person; but in making up the sum of legal bona fide debts owing, there shall be taken into account no obligation to any mutual insurance company, nor any unpaid subscription to the capital stock of any joint-stock company, nor any subscription for any religious, scientific, literary, or charitable purpose; nor any acknowledgment of any indebtedness, unless founded on some consideration actually received, and believed at the time of making such acknowledgment to be a full consideration therefor; nor any acknowledgment made for the purpose of diminishing the amount of credits to be listed for taxation: *Provided*, That pensions receivable from the United States shall not be held to be credits. Both credits and debts are to be estimated at no larger sum than it is believed can be collected or paid.

(3) *Exemptions.*—Exemptions consist of all public property and property used exclusively for or belonging to or included under the following: Armories; cemeteries and companies for preserving dead bodies; charities; churches; fire companies; indigent and insurance funds of certain secret, religious, and charitable societies; certain law libraries; colleges and academies not conducted for profit; personal property of each taxpayer up to $100, excepting dogs; public parks containing prehistoric earthworks; soldiers' monuments; bonds of the United States, the state of Ohio, or of any city, village, hamlet, county, or township in the state, and bonds issued in behalf of the public schools of Ohio. There is also exempted under a law passed in 1904 shares of capital stock in all Ohio corporations and shares of stock in foreign corporations where two-thirds of the property of such corporations is taxed in Ohio and where such corporation has complied with the laws of the state regarding qualifications, etc.

b. Assessment.—In general there is but one assessment for state, county, and municipal taxes. Certain classes of property, notably that of corporations and public utility companies, are assessed by the county auditors or by the state tax commission, and generally such assessment, after deducting the value of all the real estate included in the returns, is apportioned pro rata among the different cities, villages, townships, or taxing districts to which it properly belongs in proportion to the value of the real estate and fixed property included in the return, in each of such cities, villages, townships, or taxing districts. With the exception of real estate and certain other minor classes, all property is assessed annually.

Real estate is assessed but once every four years (last time Jan. 15–July 1, 1910), the assessment so made remaining in force for the quadrennial period; the only revision being by the addition each year of new construction or the deduction of buildings destroyed, when over $100 in value. The initial assessment of real estate is made by assessors, elected quadrennially one in each township and village, and a board of three or five members elected at large in each city.

Exempt real estate must be listed and valued. Real estate, excluding growing crops, is assessed at its true value in money and not at the price it would bring at auction or forced sale.

Personal property is assessed annually by local assessors elected in townships, and in wards of municipal corporations.

The assessor "at the time for taking the lists of personal property, etc.," each year corrects the assessment of real property by adding new buildings and deducting property destroyed when over $100 in value, and by correcting errors or omissions discovered. (See Equalization.)

Every person of full age and of sound mind is required each year to list all taxables in his possession. He is required to take oath that the property so "listed" is all that is owned by him or under his control subject to taxation on the second Monday in April, and that the value affixed to each item is "the true value thereof as ascertained by the usual selling price thereof for cash, at voluntary sales thereof at the time and place of listing," or such price as could be obtained for it in money at such sale. Persons claiming to have nothing to list must take oath to that effect. In case a person refuses to list his taxable property or refuses to swear to the list, the assessor makes return of such property as he can find, and the auditor raises the assessment by 50 per cent. The penalty for a false return is an assessment at 50 per cent in addition to true value.

All officers connected with the assessment, from the assessor up, are authorized to examine persons under oath and to examine books, etc.

In 1910 an act was passed creating the tax commission, abolishing all ex officio state boards of appraisers and assessors and boards of equalization and ex officio county boards for assessing the property of steam, suburban and interurban railroads, and imposing their duties upon the commission. It transferred from the secretary of state to the commission the duty of determining the amount of the capital stock of domestic and foreign corporations, from the auditor of state the duty of collecting the tax upon the gross receipts and gross earnings of public service corporations, and transferred to the treasurer of state the duty of collecting such fees and taxes after the same have been computed by the auditor of state. It further imposed upon the commission the duty of equalizing bank shares, abolished the state board of equalization for real property, and constituted the commission a board of equalization for such property.

The commission is required to assess the property of all express, telephone, telegraph, sleeping car, freight line, equipment, electric light, gas, natural gas, pipe-line, waterworks, messenger, signal, union depot, water transportation, heating and cooling companies, and street railroad, steam, suburban, and interurban railroad companies, and to determine the amount of the gross receipts or gross earnings of such companies as are required to pay an excise tax upon their gross receipts or gross earnings, and the proportion of the capital stock represented in the state of sleeping car, freight line, and equipment companies.

It is also required to ascertain and determine the amount of the subscribed or issued and outstanding capital stock of domestic corporations, and the proportion of the authorized capital stock of foreign corporations represented by property and business in Ohio.

Public utilities report annually to the commission, on or before the 1st day of March, with respect to plant and property owned or operated wholly or partly within the state.

In the case of railroads, the statement must give the length of the lines within and without the state, the number of miles of road in each county, including the track and its branches and side and second tracks, switches and turnouts therein, classes of rolling stock, buildings, etc.

In the case of pipe lines, gas, natural gas, waterworks, heating or cooling companies, the statement must show number of miles of pipe line owned, leased or operated, miles in each county, pumping stations, other buildings, etc.

The commission is required on the second Monday of June of each year, to ascertain and assess at its true value in money all the property of each such public utility. The property is to be that owned

and operated by the public utility, and includes all buildings, real estate necessary to its daily operations or operated wholly or in part within the state, and moneys and credits owned. The value of the property is to be apportioned to the various counties and taxing districts.

When a railroad has part of its road in the state and part in another state, the board is required to take the value of all property and divide it in the proportion which the mileage of the road in the state bears to the total mileage.

In assessing express, telegraph, and telephone companies, the commission is guided by the value of the property as determined by the value of the entire capital stock of the company, and such other rules and evidence as would enable the commission to arrive at the true value in money of the entire property of such company in the state.

Freight lines and equipment companies and sleeping-car companies are assessed upon the amount and value of that proportion of the capital stock which represents the capital and property owned and used in Ohio, the guide being the mileage of roads over which the rolling stock is operated.

The entire amount of taxes paid by the above mentioned corporations is paid into the state treasury.

The property of corporations not specially provided for is returned to the county auditors, who assess it and apportion the total assessment among the townships, villages, cities, or wards in proportion to the real property of the corporations within each, the taxes being collected by the county treasurers.

The real estate of a bank or banking association shall be taxed in the place where it is located, in like manner as the real estate of persons is taxed. Bank shares are listed at their true value in money and taxed where the bank is located. The bank collects the taxes due upon its shares of stock from the several owners of such shares, and pays same to treasurer of the county, but where incorporated banks have no stock the bank is required to pay taxes upon the capital employed or the value of the property representing it.

The shares of stock of domestic building and loan associations upon which no loans have been made or money advanced are taxed to the holders individually. Shares and loans advanced to members are exempt from taxation.

The following peculiarities in procedure should be noted:

Merchants and manufacturers are assessed upon their average holdings throughout the year, and not upon what they may happen to hold on tax day; transient traders are assessed upon that proportion of their stock which the time they are present bears to the year, and may be assessed whenever they arrive; thus, a trader opening a shop for one month only pays on one-twelfth of his stock, whether he was present on tax day or not.

Dogs are listed separately and should not be included in the $100 of exempted personal property. A per capita tax of $1 on each male and spayed female and $2 on each unspayed female is levied. If after paying sheep claims from this fund, there remain more than $1,000, the excess may be apportioned for the benefit of societies for prevention of cruelty to children and animals, school fund, poor fund, or road and bridge fund.

The county commissioners, the county auditor, and the county treasurer in any county, or a majority thereof, when they have reason to believe that there has not been a full return of property within the county for taxation, shall have power to employ any person to make inquiry and to furnish the county auditor the facts as to any omissions of property for taxation and the evidence necessary to authorize him to subject to taxation any property improperly omitted from the tax duplicate; compensation not to exceed 20 per cent of taxes recovered may be granted by the above authorities. In counties containing large cities there is no percentage limit on compensation.

c. Equalization.—A board of revision shall not increase or reduce the aggregate valuation of the real property of a county or city as fixed by the tax commission.

Real property valuations are equalized, first, by the quadrennial county boards of equalization "so that each tract or lot shall be entered on the tax list at its true value." At the conclusion of the quadrennial appraisement of real property in any municipal corporation, the board of review therein shall sit as a board for the equalization of the value of such real property within their respective municipalities. After that the county board may reconvene as a "board of revision" to pass upon complaints which may have been filed with the auditor. The changes made annually in the assessment of real property are equalized by the annual county boards of review.

At the completion of the work of the quadrennial assessors, each county auditor is required to transmit to the state tax commission an abstract of the real property in each taxing district in his county. The commission determines whether such property has been assessed at its true value in money, and if, in its opinion, it has not, the commission may increase or decrease the valuation in any county, city, village, or taxing district, or in any ward or division of a municipal corporation larger than an election precinct by such ratio of per cent as will place the property on the duplicate at its true value in money.

The valuations of personal property, moneys, credits, and investments are equalized annually in cities by city boards of review, appointed by the state board of appraisers and assessors, and outside of cities by county boards of equalization composed of the county commissioners and county auditor.

The assessment of railroads is equalized annually by the state tax commission sitting as a state board of equalization.

2. *Rate*—

The rate for state taxation, expressed in mills upon each dollar of the assessed valuation of property, is fixed each year by the general assembly. Should the general assembly fail to fix the rate, the statutory rates provided for each of the several funds prevail. The funds for which such rates are fixed are:

The sinking fund, 0.0335 mills; the state university and normal fund, 0.0825 mills; and common school fund, 0.335 mills; the combined rate being 0.451 of 1 mill on the dollar of taxable property.

3. *Collection*—

The lien for taxes attaches to the property in each year on the day preceding the second Monday in April, except bank taxes, which attach on the first Monday in May. All taxes, state, county, and local, are collected by the county treasurer. At least one-half of all taxes, and all the road tax, must be paid on or before the 20th day of December, the remainder on or before the 20th day of June next ensuing. The county treasurer is allowed 5 per cent on the amount collected as delinquent taxes and penalties. Delinquent taxes are collected by distraint and sale.

In case of taxes on real estate which have become delinquent by failure to pay one-half on the 20th of December and which can not be collected by distraint and sale of personalty, the penalty is 15 per cent; if such taxes and penalty, including the remaining half thereof, are not paid on or before the 20th of June, or collected by distress or otherwise prior to the next August settlement, a like penalty shall be charged on the last half of such taxes, and this, with taxes and cost, is eventually collected by sale of the property.

On delinquent personal property, the penalty is 10 per cent.

B. POLL TAXES.

Prohibited by the constitution for state or county purposes.

C. THE INHERITANCE TAX.

All property within the jurisdiction of the state, and any interests therein, whether belonging to inhabitants of the state or not, and whether tangible or intangible, which shall pass by will or by the intestate laws of the state, or by deed, grant, sale, or gift, made or intended to take effect in possession or enjoyment after the death of the grantor, to any person in trust or otherwise, other than to or for the use of the father, mother, husband, wife, brother, sister, niece, nephew, lineal descendant, adopted child, or person recognized as an adopted child and made a legal heir, or the lineal descendants thereof, the wife or widow of a son, the husband of a daughter of a decedent, is subject to a tax of 5 per cent of the inheritance above $200.

Such taxes become due and are payable and a lien on the property upon the death of the decedent, and are payable into the county treasury; if not paid within eighteen months the prosecuting attorney is to sue. The state receives 75 per cent and the county where collected 25 per cent of the tax.

If the tax is paid within one year after the death of the decedent a discount is allowed at the rate of 1 per cent per month for each full month that payment shall have been made prior to the expiration of said year. If not paid within one year interest at the rate of 8 per cent shall be charged thereafter.

Property passing to the state of Ohio, any municipal corporation or other political subdivision for exclusively public purposes, or to any public institution of learning or to any institution in this state for the purpose only of public charity, is exempt, while used exclusively for any such purpose.

Executors or trustees receiving a bequest or devise in lieu of their lawful allowance of property which would otherwise be liable to such tax, or if appointed residuary legatees and the said bequests, devises, or residuary legacies exceed what would be a reasonable compensation for their services, such excess shall be liable to this tax, and the probate court having jurisdiction of their accounts shall fix such compensation.

D. CORPORATION TAXES.

All corporations are taxed under the general property tax; but there are a number of additional taxes imposed on corporations or upon certain classes of corporations, payable into the state treasury and used solely for the benefit of the state.

All domestic and foreign corporations (except those operating public utility and insurance and building and loan companies) are required to pay an annual fee of three-twentieths of 1 per cent, domestic corporations upon the amount of subscribed or issued and outstanding capital stock, and foreign corporations upon the proportion of the authorized capital stock represented by property owned and used and business transacted in the state; this fee to be not less than $10.

Every corporation, company, joint-stock association, person, firm, copartnership, or voluntary association, wherever organized or incorporated, engaged in the business of operating a public utility (except sleeping car, freight line, and equipment companies) is required to pay an annual excise tax as follows:

Street, suburban, and interurban railroads $1\frac{1}{10}$ per cent and steam railroads 4 per cent upon their gross earnings from intrastate business.

Express and telegraph companies, 2 per cent; pipe-line companies, 4 per cent; and electric light, gas, natural gas, waterworks, telephone, messenger or signal, union depot, heating, cooling, and water transportation companies, $1\frac{1}{10}$ per cent, upon the gross receipts from intrastate business.

Sleeping car, freight line, and equipment companies are required to pay a tax of $1\frac{1}{10}$ per cent upon the amount and value of the proportion of their capital and property employed by them owned and used in the state.

Foreign insurance companies pay to the state an annual tax equal to $2\frac{1}{2}$ per cent of the gross premiums. There are also provisions for taxation under the retaliatory law. The gross receipts and earnings are determined by the state superintendent of insurance and the tax is paid to him.

The receipts from these sources are credited to the general revenue fund.

For the purpose of maintaining the state fire marshal's department and the payment of the expenses incident thereto, each fire insurance company doing business in the state pays to the superintendent of insurance in the month of November of each year, in addition to the other taxes required by law to be paid by it, one-half of 1 per cent of the gross premium receipts of such company on all business transacted in the state during the year next preceding, as shown by its annual statement under oath.

The superintendent of insurance shall pay the money so received into the state treasury to the credit of a special fund for the maintenance of the office of state fire marshal.

For the purpose of maintaining the department of the public service commission of Ohio and the exercise of police supervision of railroads and public utilities of the state by it, a sum not exceeding $75,000 each year shall be apportioned among and assessed upon the railroads and public utilities within the state by the commission, in proportion to the intrastate gross earnings or receipts of such railroads and public utilities for the year next preceding that in which the assessments are made.

E. BUSINESS TAXES, LICENSES, AND FEES.

The state levies a license tax on auctioneers and on certain articles sold at auction, the rate being fixed by the Court of Common Pleas. Other license taxes are as follows:

Peddlers, if on foot, $12; with 2 horses, $28; if on boat or train, $60. Honorably discharged soldiers and sailors are exempt from these licenses. Itinerant vendors, $25 per annum; on the manufacturer, importer, or agent of any commercial fertilizer, $30 annually on each brand. On the sale of feed stuff, $25 on each brand.

Fraternal benefit societies pay an annual license tax of $25; embalmers, $5; renewal of same, $1; operators of steam boilers, $2; dentists, $25; pharmacists, $5; assistant pharmacist, $3; renewals, $2 and $1, respectively; pharmacist of another state, $15; assistant pharmacist, $10; veterinary surgeon, $5.

Physician, preliminary examination, $25; midwifery, $10; osteopathy, $25.

Non-resident hunter's license, $15 to clerk of county in which one desires to hunt, and an additional fee of 25 cents to clerk if demanded.

To operate and maintain boats in state reservoirs, license fees from $1 up are charged.

The liquor tax is known as the "Dow Law." Upon the business of trafficking in spirituous, vinous, malt, or other intoxicating liquors, there is assessed annually against every person engaged therein for each place where such business is carried on, the sum of $1,000, three-tenths of which goes to the state, five-tenths to the township or village, and two-tenths to the county.

In addition, railway corporations conducting dining or buffet cars upon which intoxicating liquors are sold pay into the state treasury a license of $1,000 or $1,500, according to the length of line maintained, controlled, or operated by such corporation.

Wholesale dealers in cigarettes and cigarette wrappers pay an annual license of $30: retail $15; one-half goes to the state and one-half to the county.

Licenses for fishing range from $1 to $12.50 per fishing season, according to method and device used.

To solicit fire, lightning, tornado, explosion, or marine insurance by companies not authorized to do business in the state, there is charged an annual license fee of $10.

To conduct a private employment agency, a license fee of from $25 to $100, depending on the size of the city in which operated, is charged.

Each gasoline or steam motor vehicle pays an annual registration fee of $5, and each electric motor vehicle one of $3. Manufacturers and dealers pay an annual registration fee of $10 for each make of motor vehicle, to be determined by the motive power of same. Chauffeur's license, $2.

The secretary of state collects the following fees: Filing articles of incorporation, capital stock, $10,000 or under, $10; over $10,000, one-tenth of 1 per cent on authorized capital stock; increase of capital stock same; agreements of consolidation of corporations having a capital stock, one-tenth of 1 per cent of stock of new corporation, not less than $10 in any case; filing articles of incorporation of a mutual life insurance corporation, not benevolent or charitable, having no capital stock, $25; religious, benevolent, or literary, not for profit and not mutual, $2; building and loan association, $10, increase of capital stock, $5; filing certificate of reduction of capital stock, $5; copy of acceptance of any provision of law by a corporation incorporated prior to the adoption of the present constitution, $5; filing amendment to articles of incorporation, 20 cents for each 100 words, in no case less than $5; filing certificate of extension of line of a railroad corporation, etc., 20 cents for each 100 words, not less than $5; certificate of extension of purpose, or change of domicile, $5; for filing certificate not herein enumerated, 20 cents for each 100 words, in no case less than $5; incorporation of municipal corporation, $5; filing certificate of subscription to 10 per cent of capital stock of a corporation, $2; filing name, filed by manufacturers, bottlers, and dealers in ginger ale, seltzer water, etc., $5; seal, $1; recording miscellaneous records, etc., 20 cents for each 100 words; making copies of articles of incorporation, etc., 10 cents for each 100 words. Foreign corporations pay following fees: Capital stock of $100,000 or less, $15; $100,000 to $300,000, $20; $300,000 to $500,000, $25; $500,000 to $1,000,000, $30; $1,000,000 or more, $50. Foreign corporation increasing its proportionate capital stock pays a fee of one-tenth of 1 per cent upon the increase of its authorized capital stock.

Mutual companies insuring against loss from death of domestic animals pay fee of $5 to superintendent of insurance for filing annual statement and for each certificate and renewal of certificate.

Inspector of steam boilers: Applicant for examination, $10; fee for inspection, $5 for internal and external inspection; $2 for inspecting boiler while in motion.

The secretary of state and clerk of the court of common pleas each receive a fee of $5 for each statement and certificate of publication, and also a fee of $1 for each certified copy of such statement and certificate of publication of name, brand, design, etc.

The superintendent of insurance collects the following fees: Filing copy of charter, $25; filing annual statements, $20; each certificate of authority, $2; each copy of paper filed, 20 cents per folio and $1 for seal. Life insurance companies pay further 1 cent per $1,000 insured for making valuations of its policies.

Bond-investment companies pay supervisor of such companies following fees: Filing applications for admission to do business in state, $100; certificate of authority and annual renewal, $50; annual statement, $25; issuing certificate of authority to agent, $2; each copy of paper filed in office, 50 cents per folio; affixing seal, $1.

Foreign building and loan associations pay to the state inspector the following fees: Admission to do business in the state, $100; certificate of authority and annual renewal, $50; both foreign and domestic associations pay for filing each annual statement as follows: Assets, $50,000 or less, $3; $50,000 to $100,000, $5; $100,000 to $250,000, $10; $250,000 to $500,000, $20; $500,000 to $1,000,000, $30; if more than $1,000,000, $50; for copy of any paper, 25 cents per folio; for affixing seal of office of inspector, $1. Funds to be deposited with state treasurer.

Certificate of teachers in public schools, $1.50, to be paid to the county board of examiners, 50 cents to be paid into institute fund of the county in which applicant writes the examination, and $1 to be forwarded to the state commissioner of common schools, who shall pay same into the state treasury to credit of general revenue fund.

Foreign insurance company, for making and forwarding annually, etc., the interest checks, etc., $25 annually on each $100,000 so deposited.

The public service commission collects certain fees for testing appliances and for furnishing any copy of any paper filed with the commission.

Dairy and food commission collects fee of $1 for each registration of each manufacturer of cheese.

The state sealer of weights and measures is allowed the sum of $5 for each gas meter prover tested.

State board of accountancy.—Fee for examination, $25.

Oil inspector fees.—Fifty cents for a single barrel; 30 cents per barrel when lot does not exceed 10 barrels of 50 gallons each; 20 cents when lot does not exceed 50 barrels; 7 cents each for lots exceeding 50 barrels.

Inspector of foods, etc., collects following fees: Each barrel of wheat flour or rye flour, 3 cents; buckwheat meal, 2 cents; domestic spirits, 5 cents; barrel of biscuits, 6 cents; each firkin or keg of butter or lard, 3 cents; for packing and inspecting each barrel of pork or beef, 20 cents; for each half barrel thereof, 14 cents; for packing, examining, and inspecting each barrel of fish, 20 cents; and for each barrel of pot or pearl ashes, 12 cents.

Fee for the establishment of a tobacco warehouse, $5; appointing tobacco inspector and approving bond, $3.

F. THE INCOME TAX.

There is no income tax in Ohio.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property excluded and exempt.—The property subject to taxation and the methods of assessment and equalization are the same for county as for state.

2. *Rate—*

Under the statute limiting the rate of levy, the aggregate of all taxes that may be levied by a county for county purposes in any one year is limited to 3 mills, except that by a majority vote of the electors of the county additional levies may be made for special purposes, provided that the total rate for all purposes by all divisions of government having power to levy taxes shall not exceed 15 mills.

3. *Collection—*

The same as for state taxes.

B. POLL TAXES.

There is no county poll tax. (See Constitution, Art. XII, sec. 1.)

C. THE INHERITANCE TAX.

The county receives 25 per cent of the collateral inheritance tax. (See State Revenues, c.)

D. CORPORATION TAXES.

There are no special corporation taxes for the counties.

E. BUSINESS TAXES, LICENSES, AND FEES.

The county receives two-tenths of all liquor licenses collected therein.

By the court of common pleas.—Ferries, $2 to $50 annually, together with a fee of 50 cents to the clerk issuing the license.

By the county auditors.—Traveling or temporary shows, circuses, etc., according to population of place where exhibited, $25, $40, and $60 per exhibition.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property subject to taxation and the methods of assessment and of equalization are the same for municipal taxation as for state.

2. *Rate—*

The rate in mills on each dollar of assessed valuation is fixed, under certain statutory restrictions as to the maximum rates for specified purposes, by the township trustees, the trustees of hamlets, or the city council. These rates may be exceeded by popular vote, but in no case shall the combined rate for all taxes exceed 15 mills on the dollar.

The city council may levy a tax not to exceed three-tenths of a mill for police relief fund and one-thirtieth of a mill for "sanitary police pension fund."

The aggregate of all taxes that may be levied by a township for township purposes on the taxable property in the township on the tax list shall not exceed in any one year 2 mills.

The aggregate of all taxes that may be levied by a municipal corporation on the taxable property in the corporation for corporation purposes on the tax list shall not exceed in any one year 5 mills.

The county commissioners of any county, the council of any municipal corporation, the trustee of any township or any board of education may at any time by a majority vote of all of the members elected or appointed thereto declare by resolution that the amount of taxes that may be raised by the levy of taxes at the maximum rate will be insufficient, and that it is expedient to levy taxes at a rate in excess of such rate, and cause a copy of such resolution to be certified to the deputy state supervisors of the proper county.

Such proposition shall then be submitted to the electors of such taxing district, and if the majority of the electors voting thereon approve, it shall be lawful to levy taxes within such taxing district at a rate not to exceed that provided for in the resolution, but in no case shall the combined maximum rate for all taxes levied exceed 15 mills.

3. *Collection—*

The same as for state taxes. In certain cities the dog tax is collected by the city clerk.

B. POLL TAXES.

All males 21 to 55 years of age able to perform or cause to be performed the labor (on highways within road districts and cities), except honorably discharged soldiers, pensioners, militiamen, and volunteer firemen, are liable for two days' labor each year on the roads or in cities on the streets. This is commutable into a tax of $3, to be expended where the labor should have been applied. Under certain prescribed conditions members of volunteer engine companies are exempt.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no municipal inheritance or corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

The municipal corporation or township receives $\frac{4}{10}$ of all liquor licenses collected by the county for business carried on therein.

The council of any city or village may license and fix the tax on advertising signs, auctions, ball alleys, ball grounds, billposters, billiard tables, bowling alleys, chattel mortage and salary loan brokers, dancing and riding academies, ferries, goods sold on street, hawkers, house movers, house boats, hucksters, intelligence offices, itinerant vendors, junk shops, livery, sale and boarding stables, manufacturers and dealers in explosives, pawnbrokers, peddlers, plumbers, public ballrooms, race courses, scavengers, secondhand dealers, shooting galleries, shows and exhibitions, street musicians, taverns, and theaters.

School Revenues.

The school districts in Ohio receive an apportionment from the state school fund, which is supplied from the ad valorem tax on property and from interest paid by the state on certain funds created by the sale of school lands and the like; also an apportionment of the county school fund, into which flows a large number of miscellaneous fines, fees, and penalties expressly devoted to the support of the schools. In addition to these there may be levied, on the basis of an estimate by the board of education in any district, a district school tax.

The local tax levy for all school purposes shall not exceed in any one year 5 mills on the dollar of valuation of taxable property in any school district, except by a majority vote of the electors in the districts. The school levy, however, combined with the levy by other civil divisions, must not exceed 15 mills on each dollar of valuation in the district.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

Additional duties and powers were given to the state tax commission, the principal of which was that it should "direct and supervise the assessment for taxation of all real and personal property in the state."

For purposes of taxation the state was divided into assessment districts, each county constituting an assessment district. In counties having less than 65,000 inhabitants there is one district assessor, and in all other counties there are two, constituting the district board of assessors. These are deputy state tax commissioners and are appointed by the governor, and removable by the tax commission with the consent of the governor. They hold office until their successors are appointed and qualified. Three persons are appointed by the tax commission in each assessment district to hear complaints and review assessments, and are known as the district board of complaints. Deputy assessors, etc., are appointed by the district assessors, but all are under the absolute control of the tax commission.

The dates for listing and returning property are changed from between the second Monday in April and the third Monday in May to between the first Monday in February and the first Monday in June.

The state agricultural commission was created consisting of four members, three appointed by the governor and one by the trustees of the Ohio State University. This commission succeeded to and became possessed of all rights, authority, and powers of the state board of agriculture, board of live-stock commissioners, board of control of the state agricultural experiment station, the state drug and food commissioner, the fish and game commission, and state board of veterinary examiners.

An annual tax of one-half of 1 mill on all taxable property in the state was levied for the purposes of constituting a state highway improvement fund. This levy is to be in addition to all other levies for any purposes. Seventy-five per cent of this tax is to be applied to the maintenance of the state highway department and to be used on an intercounty system of highways, and 25 per cent on certain main market roads designated as "Routes 1 to 12."

The annual registration fees on motor vehicles were increased, for motor cycles to $3; for electric motor vehicles to $5; for gasoline or steam motor vehicles from $5 to $18, according to horsepower; and for manufacturers and dealers to $20 for each make of motor vehicle, to be determined by the motive power.

All persons or corporations subject to examination and inspection by the superintendent of banks pay an annual fee of $30 and one seventy-fifth of 1 per cent of their aggregate resources. Those coming into the state to transact business pay the same amount for certificate authorizing them to commence business. In the case of foreign trust companies this fee is $50.

Dealers in stocks, bonds, mortgages, and other securities, and real estate not located in Ohio pay to the superintendent of banks an annual fee of $50, and $5 for each agent ("Blue Sky" law).

A budget system is established for all state officers, departments, and institutions, such budgets to be submitted to the governor in the even numbered years for their wants for the biennial period beginning with the 1st of July following.

The fees of foreign building and loan associations payable to inspector of building and loan associations were advanced as follows: For filing application for admission to do business in the state, $500; each certificate of authority and annual renewal thereof, $200; for filing each annual report, $20, and in addition, one one-hundredth of 1 per cent of its assets.

Under certain conditions counties are authorized to appropriate money and issue bonds in aid of canals.

The amount of exemption from the inheritance tax was raised from $200 to $500, and the apportionment was changed from 75 per cent to the state and 25 per cent to the county to 50 per cent to the state and 50 per cent to the city, village, or township in which the said tax originated.

The rate of taxation authorized to be levied by the county commissioners for turnpike road purposes was reduced from 6 to 2 mills on the dollar of valuation on the taxable property in the county.

Fishing licenses were raised from $1 to $12.50 to $1.50 to $20 per fishing season, according to the method and device used. The law relating to hunters' licenses was changed so as to require residents of the state to procure such license and fixing the fee for same at $1. Township clerks were authorized to issue such licenses. The fee for physicians of other states desiring to practice in Ohio without examination was made $50.

OKLAHOMA.[1]

The constitution of Oklahoma was adopted in 1907. It provides an extensive code of revenue laws which has been supplemented by statutes so that the general revenue laws now in force are definite as to the classification of all forms of taxable property and the requirements of listing same, the duties and powers of assessors, and the manner of equalizing assessments by boards of equalization for state and counties.

CONSTITUTIONAL PROVISIONS.

ARTICLE I.

SEC. 3. * * * Land belonging to citizens of the United States residing without the limits of the state shall never be taxed at a higher rate than the land belonging to residents thereof. No taxes shall be imposed by the legislature on lands or property belonging to or which may hereafter be purchased by the United States or reserved for its use.

[1] This compilation is derived mainly from the following sources:
The Revised Laws of Oklahoma, 1910.
Session Laws to 1913.

ARTICLE V.

SEC. 50. The legislature shall pass no law exempting any property within this state from taxation, except as otherwise provided in this constitution.

ARTICLE X.

SEC. 2. The legislature shall provide by law for an annual tax sufficient, with other resources, to defray the estimated ordinary expenses of the state for each fiscal year.

SEC. 3. Whenever the expenses of any fiscal year shall exceed the income, the legislature may provide for levying a tax for the ensuing fiscal year, which, with other resources, shall be sufficient to pay the deficiency, as well as the estimated ordinary expenses of the state for the ensuing year.

SEC. 4. For the purpose of paying the state debt, if any, the legislature shall provide for levying a tax, annually, sufficient to pay the annual interest and principal of such debt within 25 years from the final passage of the law creating the debt.

SEC. 5. The power of taxation shall never be surrendered, suspended, or contracted away. Taxes shall be uniform upon the same class of subjects.

SEC. 6. All property used for free public libraries, free museums, public cemeteries, property used exclusively for schools, colleges, and all property used exclusively for religious and charitable purposes, and all property of the United States, and of this state, and of counties and of municipalities of this state; household goods of the heads of families, tools, implements, and live stock employed in the support of the family, not exceeding $100 in value, and all growing crops shall be exempt from taxation: *Provided*, That all property not herein specified now exempt from taxation under the laws of the territory of Oklahoma, shall be exempt from taxation until otherwise provided by law: *And provided further*, That there shall be exempt from taxation to all ex-Union and ex-Confederate soldiers, bona fide residents of this state, and to all widows of ex-Union and ex-Confederate soldiers who are heads of families and bona fide residents of this state, personal property not exceeding $200 in value.

All property owned by the Murrow Indian Orphan Home, located in Coal County, and all property owned by the Whittaker Orphan Home, located in Mayes County, so long as the same shall be used exclusively as free homes or schools for orphan children and for poor and indigent persons, and all fraternal orphan homes and other orphan homes, together with all their charitable funds, shall be exempt from taxation, and such property as may be exempt by reason of treaty stipulations existing between the Indians and the United States Government, or by Federal laws, during the force and effect of such treaties or Federal laws. The legislature may authorize any incorporated city or town, by a majority vote of its electors voting thereon, to exempt manufacturing establishments and public utilities from municipal taxation, for a period not exceeding five years, as an inducement to their location.

SEC. 7. The legislature may authorize county and municipal corporations to levy and collect assessments for local improvements upon property benefited thereby, homesteads included, without regard to a cash valuation.

SEC. 8. All property which may be taxed ad valorem shall be assessed for taxation at its fair cash value, estimated at the price it would bring at a fair voluntary sale. * * *

SEC. 9. Except as herein otherwise provided the total taxes, on an ad valorem basis, for all purposes, state, county, township, city, or town, and school district taxes, shall not exceed in any one year 31½ mills on the dollar, to be divided as follows:

State levy, not more than 3½ mills; county levy, not more than 8 mills: *Provided*, That any county may levy not exceeding 2 mills additional for county high school and aid to common schools of the county, not over 1 mill of which shall be for such high school, and the aid to said common schools shall be apportioned as provided by law; township levy, not more than 5 mills; city or town levy, not more than 10 mills; school district levy, not more than 5 mills on the dollar for school district purposes, for support of common schools: *Provided further*, That the aforesaid annual rate for school purposes may be increased by any school district by an amount not to exceed 10 mills on $1 valuation, on condition that a majority of the voters thereof voting at an election vote for said increase.

SEC. 10. For the purpose or erecting public buildings in counties, cities, or school districts, the rates of taxation herein limited, may be increased, when the rate of such increase and the purpose for which it is intended shall have been submitted to a vote of the people, and a majority of the qualified voters of such county, city, or school district, voting at such election, shall vote therefor: *Provided*, That such increase shall not exceed 5 mills on the dollar of the assessed value of the taxable property in such county, city, or school district.

SEC. 12. The legislature shall have power to provide for the levy and collection of license, franchise, gross revenue, excise, income, collateral and direct inheritance, legacy and succession taxes; also graduated income taxes, graduated collateral and direct inheritance taxes, graduated legacy and succession taxes; also stamp, registration, production, or other specific taxes.

SEC. 13. The state may select its subjects of taxation, and levy and collect its revenues independent of the counties, cities, or other municipal subdivisions.

SEC. 14. Taxes shall be levied and collected by general laws, and for public purposes only. * * *

SEC. 18. The legislature may authorize the levy and collection of a poll tax on all electors of this state under 60 years of age, not exceeding $2 per capita per annum, and may provide a penalty for the nonpayment thereof.

SEC. 19. Every act enacted by the legislature, and every ordinance and resolution passed by any county, city, town, or municipal board or local legislative body, levying a tax shall specify distinctly the purpose for which said tax is levied, and no tax levied and collected for one purpose shall ever be devoted to another purpose.

SEC. 20. The legislature shall not impose taxes for the purpose of any county, city, town, or other municipal corporation, but may, by general laws, confer on the proper authorities thereof, respectively, the power to assess and collect such taxes.

SEC. 21. There shall be a state board of equalization, consisting of the governor, state auditor, state treasurer, secretary of state, attorney general, state inspector and examiner, and the president of the board of agriculture. The duty of said board shall be to adjust and equalize the valuation of real and personal property of the several counties in the state, and it shall perform such other duties as may be prescribed by law, and they shall assess all railroads and public service corporation property.

SEC. 22. Nothing in this constitution shall be held or construed to prevent the classification of property for purposes of taxation, and the valuation of different classes by different means or methods.

ARTICLE XVI.

SEC. 3. The legislature shall have power to and shall provide for a system of levees, drains, and ditches and of irrigation in this state when deemed expedient, and provide for a system of taxation on the lands affected or benefited by such levees, drains, and ditches and irrigation, or on crops produced on such land, to discharge such bonded indebtedness or expenses necessarily incurred in the establishment of such improvements; and to provide for compulsory issuance of bonds by the owners or lessees of the lands benefited or affected by such levees, drains, and ditches or irrigation.

ARTICLE XIX.

SEC. 2. Until otherwise provided by law, all foreign insurance companies, including surety and bond companies, doing business in the state, except fraternal insurance companies, shall pay to the insurance commissioner for the use of the state an entrance fee as follows:

Each foreign life insurance company, per annum, $200; each foreign fire insurance company, per annum, $100; each foreign accident and health insurance company, jointly, per annum, $100; each surety and bond company, per annum, $150; each plate glass insurance company, (not accident), per annum, $25; each foreign live-stock insurance company, per annum, $25.

Until otherwise provided by law, domestic companies excepted, each insurance company, including surety and bond companies doing business in this state, shall pay an annual tax of 2 per cent on all premiums collected in the state, after all cancellations are deducted, and a tax of $3 on each local agent.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The tax assessors in the several counties elected for a term of two years.

(2) County treasurer, who is ex officio tax collector, elected for a term of two years. Delinquent taxes are collected by the county sheriff.

(3) County board of equalization, composed of the board of county commissioners, of which the county assessor is secretary.

(4) State board of equalization, composed of the governor, state auditor, state treasurer, secretary of state, attorney general, state examiner and inspector, and the president of the board of agriculture. The same officers constitute a board of assessors for the purpose of assessing the property of public service corporations.

(5) The corporation commission and the state auditor, who administer the taxes on the gross receipts of public service corporations and of mines.

(6) County excise board, composed of county clerk, county treasurer, county judge, county superintendent, and county attorney.

State Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All property in the state, whether real or personal, including the property of corporations, banks, and bankers, except such as is exempt, is subject to the general property tax.

(1) Real property, for the purpose of taxation, is construed to mean the land itself and all buildings, structures, and improvements or other fixtures of whatsoever kind thereon, and all rights and privileges thereto belonging or in any wise appertaining, and all mines, minerals, quarries, and trees on or under the same.

(2) Personal property, for the purpose of taxation, includes:

All goods, chattels, moneys, credits, and effects; all improvements made by others upon lands, the fee of which is vested in the United States or this state; all improvements, including elevators and other structures, upon lands the title to which is vested in any railway company or other corporation whose property is not subject to the same mode and rule of taxation as other property; the stock of nurserymen, growing or otherwise; the amount of money invested in bonds, stocks, or credits outside of the state of Oklahoma; all public stock and securities, and stocks or shares in any national or other bank or company incorporated under the laws of this or any other state or of the United States, and situated and transacting business in this state; all shares in foreign corporations owned by residents of this state; all horses and neat cattle, mules, asses, sheep, swine, and goats; all household furniture, including gold and silver plate, musical instruments, watches, and jewelry; private libraries; all vehicles for transporting persons for pleasure or profit; all wagons, vehicles, or carriages; all implements or machinery appertaining to agricultural labor; all machinery and materials used by manufactories and all manufactured articles; annuities; all moneys, goods, or property and capital employed in merchandizing; all agricultural implements or machinery, goods, wares, merchandise or other chattels in this state in possession or under the control of or held for sale by any warehouseman, agent, factor, or representative in any capacity of any manufacturer or any dealer or agent of any such manufacturer; personal property belonging to persons or companies doing freight or transportation business and belonging wholly or in part to persons within this state for such part as is owned by said persons.

In addition to the schedule of tax exemptions provided for in Article X of the constitution, the following property is exempted from taxation by statutory legislation:

The engines and equipment of fire companies; all property, both real and personal, of scientific, educational, and benevolent institutions, colleges or societies, devoted solely to the appropriate objects of these institutions; the books, papers, furniture, scientific or other apparatus pertaining to the above institutions and used solely for the purposes above contemplated, and the like property of students in any such institutions used for the purpose of their education; all breaking and wells on lands upon which final proof has not been made; family portraits; all food and fuel provided in kind for the use of the family, not to exceed provisions for one year's time; and all grain and forage necessary to maintain for one year the live stock used in supporting the family; all pensions from the United States or from any of the states until paid into the hands of the pensioners; polls of all active members in good standing, not to exceed 30 in number, of fire companies in cities and towns of more than 1,000 inhabitants, and not exceeding 15 in towns and villages of less than 1,000 inhabitants, provided that such fire company owns at least $500 worth of apparatus; the shares issued by a building and loan association and loaning its funds to members within this state and the notes and mortgages of building and loan associations doing business in this state under the laws of this state and which are given by the members of such association upon real estate located in the state and which real estate is subject to taxation under the laws of the state.

Personal property used in the operation and development of the use of the waters known as "underflow water" by controlling and bringing to the earth's surface said underflow water in sufficient volume for practical use for irrigation or domestic purposes, shall be exempt from taxation for the period of five years as to any and all such personal property; and any incorporated city or town may likewise exempt by ordinance from municipal taxation for the period of five years from the time such water is delivered to such city or town in a satisfactory manner in order to encourage and induce the development of gravity underflow water plants.

b. Assessment.—The assessment of all property, except that of public service corporations, is made by the county assessors. The operative property and franchises of public service corporations are assessed by the state board of equalization. All property is to be assessed at its fair cash value, "estimated at the price it would bring at a fair voluntary sale." The assessment refers to the 1st day of January and is to be completed and the report thereof transmitted to the state board of equalization not later than the Saturday before the third Monday in June.

Every person owning taxable property is required to list his property and the assessor is required to administer an oath as to the correctness of the list.

The assessment made by the board of equalization is, in the case of railroads, apportioned to the counties, townships, cities, and school districts on the basis of the mileage of main track in each; as to the property of other classes of public service corporations the law is not explicit as to the method of apportionment, but it does provide that the board shall certify the assessment to the county clerks.

National bank stock is assessed to the stockholders at the place where the bank is located at its par value as of February 1. The banks pay the tax and have a lien on the stock and the dividends to secure reimbursement. The net receipts of foreign insurance companies are taxed as personal property of the agency.

Personal property is listed and taxed in the county, township, and school district in which the owner resides on the 1st day of January. The property of banks, bankers, brokers, insurance, and other companies, merchants, and manufacturers is listed and taxed in the county, township, city, and school districts where their business is usually done. Animals and farming implements are listed where kept, unless the owner lives outside a city, in which case it is listed in the territory where the owner resides.

Personal property situated and kept in unorganized counties is assessed by the assessor of the organized county to which it is attached for judicial purposes.

Merchants and manufacturers list their stock by estimating the amount on hand during each month of the preceding year and dividing by the number of months. Commission merchants list their property and that in their hands for sale in the same manner as merchants.

In case any person required by law to list his property fails to do so, the assessor is to estimate it and the valuation placed upon it by the assessor can not be reduced by the board of equalization. A penalty of 50 per cent is added for refusal to make a list.

Depreciated bank notes and depreciated stocks are to be estimated at their current value, and credits at what the persons listing them believe will be received or can be collected, and annuities at what they are worth in money.

c. Equalization.—The county board of equalization equalizes taxes over the county. It has authority to raise, lower, and adjust individual assessments; to add omitted property, and to cancel assessments of property not taxable.

The state board of equalization equalizes between counties. It may raise or lower the assessment of any county as a whole or that of any class or classes of property therein.

Appeals may be taken from all county boards of equalization to the county district court, within 30 days after the adjournment thereof, and to the supreme court, if from the state board, within 60 days after the adjournment of such board.

2. *Rate—*

The state rate is limited by the constitution to not to exceed 3½ mills on the dollar. The actual rate within this limit is to be determined by the state board of equalization and it shall specify the purpose for which the tax is levied and shall in no case exceed the amount appropriated by the legislature for such purpose. In making the estimate the board allows 20 per cent for delinquencies.

3. *Collection—*

One-half of all taxes levied upon an ad valorem basis becomes due on the 1st day of November, and if not paid on or before the 1st day of January, the entire tax levied becomes delinquent. If the first half is paid by the 1st day of December, the second half becomes delinquent on the 15th of June thereafter.

All delinquent taxes, as a penalty, bear interest at the rate of 18 per cent per annum.

The county treasurer is required to notify each taxpayer of the amount of his taxes and when the same become due and delinquent.

B. POLL TAXES.

See county poll taxes.

C. THE INHERITANCE TAX.

All property or the income from property passing by will or under the intestate laws of the state, or by gift in contemplation of death, to any person, association, or corporation, other than those organized solely for religious, charitable, or educational purposes, said property to be used exclusively within the state, is subject to a tax in the following cases:

1. When the transfer is by will or by the intestate laws of this state from any person dying possessed of the property while a resident of the state.

2. When the transfer is by will or by the intestate laws of property within the state or within its jurisdiction and the decedent was a nonresident of the state at the time of his death.

3. When the transfer is of property made by a resident or by a nonresident, when such nonresident's property is within the state or within its jurisdiction, by deed, grant, bargain, sale, or gift, made in contemplation of the death of the grantor, vendor, or donor, or intended to take effect in possession or enjoyment at or after such death.

4. When any person shall exercise a power of appointment, derived from disposition of property made before or after the passage of this chapter, such appointment when made shall be deemed a transfer taxable in the same manner as though the property belonged to the donee of such power.

5. The tax imposed hereby shall be upon the clear market value of such property at the rates hereinafter prescribed.

Class 1. Where the beneficiary shall be the husband, wife, lineal issue, lineal ancestor, or adopted child of the decedent, or any child to whom such decedent for not less than 10 years prior to such transfer stood in a mutually acknowledged relationship of parent, provided such relationship began at or before the child's fifteenth birthday and was continuous thereafter for the said 10 years, or any lineal issue of such adopted or mutually acknowledged child, exempt, to the widow, $10,000, to others, $5,000; primary rate 1 per cent; rate increases by one one-hundred-and-twenty-fifth of 1 per cent for each $100 increase over $5,000.

Class 2. Where a beneficiary shall be the brother or sister, or a descendant of a brother or sister, a wife or widow of a son, or the husband of a daughter of the decedent, exempt $500; primary rate 1½ per cent; rate increases one-fiftieth of 1 per cent for each $100 in value over $2,000.

Class 3. Where the beneficiary shall be the brother or sister of the father or mother of the decedent, or a descendant of the same, exempt $250; primary rate 3 per cent; rate increases by one-fiftieth of 1 per cent for each $100 over $2,000.

Class 4. Where the beneficiary shall be the brother or sister of the grandfather or grandmother of the decedent, or a descendant of the same, exempt $150; primary rate 4 per cent; rate increases one-tenth of 1 per cent for each $100 over $500.

Class 5. Where the beneficiary shall be in any other degree of collateral consanguinity than is hereinbefore stated, or shall be a stranger in blood, or a body politic or corporate, exempt $100; primary rate 5 per cent; rate increases one-tenth of 1 per cent for each $100 over $500.

The cumulative increase of the tax rate of each $100 of value of testamentary gifts in excess of $500 was interpreted by the supreme court in the case of McGannon et al. *v.* State ex rel. Trapp, in a decision handed down in which the court says that the law is constitutional, but it repudiates the arithmetical progression in the computation of the tax, and holds that the law provides for but one increase of rate over the primary rate in any class.

If the tax is paid within one year, a discount of 5 per cent is allowed; if not paid within 18 months, interest at the rate of 10 per cent is charged.

This tax is paid into the state treasury, one-half to be used for the public schools of the state and one-half for general state purposes.

D. CORPORATION TAXES.

All public service corporations, which term is defined to include all transportation and transmission

companies, all gas, electric, light, heat and power companies, pipe line companies, waterworks, and water power companies, and all persons or corporations authorized to exercise the right of eminent domain or to use or occupy any right of way, street, alley, or public highway, along, over, or under the same in a manner not permitted to the general public, are subject to a tax on their gross receipts at the rates set forth below. These taxes are in addition to the taxes levied and collected upon an ad valorem basis upon the property and assests of such corporations. If the company operates both within and without the state, the amount of gross receipts subject to the tax is that portion of the total receipts that the business done in the state bears to the whole business, unless satisfactory evidence is presented to the corporation commission at any time prior to the time fixed for payment of said tax that some other proportion more fairly represents the proportion of receipts within the state.

The rates are: Railroads, one-half of 1 per cent; sleeping and other car companies and express companies, 3 per cent; pipe lines, 2 per cent; telephone companies, one-half of 1 per cent; telegraph companies, 2 per cent; electric light, gas, heat, and power companies, one-half of 1 per cent; waterworks companies, one-fourth of 1 per cent; all others, 1 per cent.

All persons, firms, associations, or corporations engaged in the mining of coal or asphalt or of ores bearing lead, zinc, jack, gold, silver, copper, or of petroleum or other mineral oil, or natural gas, are subject to a state tax on their gross receipts from production at the rates set forth below. These taxes are to be in addition to the taxes levied and collected on an ad valorem basis.

The rates for coal are one-half of 1 per cent; for the ores named and for asphalt, one-half of 1 per cent; for petroleum or other mineral oil or natural gas, one-half of 1 per cent. A rebate is allowed on the just proportion of taxes paid on the crude product turned into finished product and thereafter paying an ad valorem tax on the finished product.

These taxes are levied and assessed under the supervision of the state auditor, to whom the reports are to be made and who has power to investigate the books, etc., in order to arrive at the amount of the taxes. In computing the said tax the amount of royalty required to be paid for the benefit of the Indian citizens, Indian tribe, or landlord shall be deducted from the actual cash value of the entire gross production.

E. BUSINESS TAXES, LICENSES, AND FEES.

Every corporation in order to transact business must procure annually a state license therefor: *Provided*, That this shall not apply to railroad or car companies, electric railroad, telephone and telegraph, heat, light, and power, waterworks, and water power, insurance, banking or trust companies, building and loan associations, or to any corporation not organized for profit or to any corporation in the year that the fee for incorporation is paid. For each domestic company a license fee of 50 cents for each $1,000 of its authorized capital stock or less, and for each foreign corporation, $1 for each $1,000 of its capital stock employed in its business done in the state: *Provided further*, That the license fees provided for in this act shall not be required on that portion of its capital stock upon which a production, income, or gross-receipts tax is levied.

The fee is payable to the state treasurer and applied to the payment of the ordinary expenses of the state government.

Fraternal insurance companies.—Annual license, $5; mutual insurance companies with membership of not less than 1,000, insuring against fire, lightning, and wind storms, $5, and a fee of 50 cents for each agent appointed; mutual hail insurance companies, $5; cotton ginners' insurance, $10; itinerant vendors of drugs and advertising cures, $100; automobile license, $1.

Hunter's license.—$1.25 to citizen of state; none required for hunting raccoon, fox, opossum, wolves, or rabbits, with dogs only; citizen of United States but not a resident of Oklahoma 60 days previous to application for license and not including right to hunt deer, turkey, or prairie chicken, $15; by alien, with same restrictions as to deer, turkey, or prairie chicken, $25.

Each foreign insurance company, including surety and bond companies, doing business in this state, pays in addition to the entrance fee an annual tax of 2 per cent on all premiums collected in the state, after all cancellations and dividends to policyholders are deducted, and a tax of $3 on each local agent, which taxes shall be in lieu of all other taxes or fees and the taxes and fees of any subdivision or municipality of the state.

Manufacturer or importer of commercial fertilizer, $20 on each brand. Private employment agency, $5 per annum.

Dentists, examination, $25; pharmacists, examination, $10; annual fee, not to exceed $2; license to applicants from other states, $15.

Embalmers, examination, $5; annual fee, $1.

Physicians, examination, $15; registration fee without examination, $25.

Attorneys, examination, $12; those not required to be examined, $5, in addition to fee for issuance of license.

Nurses, registration fee, $5.

Recording marks and brands, $1.

Collected by secretary of state.—For filing articles of incorporation, one-tenth of 1 per cent of the authorized capital stock of such corporations, but the minimum fee is $3; corporations organized for religious or charitable purposes, $2. For issuing license to a foreign corporation and filing copy of charter, the same fee as required of domestic corporations for filing articles of incorporation and issuing certificates therefor. For affixing the certificate of the secretary and seal of the state, $1. For each commission issued by the governor, $1. For recording any instrument in the secretary's office, per folio, 25 cents. For copy of any paper or document, per 100 words, 10 cents. For each commission issued to commissioner of deeds in a foreign state or territory, $5.

F. THE INCOME TAX.

At the time of making the assessment of property the assessor is to obtain from each person, under oath, a statement as to whether his income from salaries, fees, trade, profession, and property upon which a gross receipts or excess tax has not been paid, any or all of them, for the year ending June 30 last preceding was in excess of $3,500. The excess of the income over $3,500 is subject to a graduated tax at the following rates:

Five mills on the dollar if the income is over $3,500 and less than $5,000; 7½ mills on the dollar on the excess over $5,000 and less than $10,000; 12 mills on the dollar on the excess over $10,000 and less than $20,000; 15 mills on the dollar on the excess over $20,000 and less than $50,000; 20 mills on the dollar on the excess over $50,000 and less than $100,000; and 33⅓ mills on the dollar on all amounts over $100,000 of all gross incomes.

This tax does not fall on any income derived from property upon which a gross-receipts or excise tax has been paid.

Graduated land tax.—In addition to paying the regular ad valorem tax on land, all persons owning land of taxable value in excess of 640 acres of average taxable value, pay an annual tax upon the average value of the excess, at the following rates:

When the land is over 640 acres and not over 1,280 acres of average taxable value, one-fourth of 1 per cent upon the excess; over 1,280 acres and not over 3,000 acres of average taxable value, 1 per cent on the excess over 1,280 acres; land in excess of 3,000 acres and not in excess of 5,000 acres, 2 per cent on the excess over 3,000 acres; land of average taxable value in excess of 5,000 acres and not over 10,000 acres, 5 per cent per annum on the excess over 5,000 acres; over 10,000 acres and not over 25,000 acres, 10 per cent on the excess over 10,000 acres. (No rate is named if the acreage is over 25,000.) For the purpose of this tax the land in Oklahoma is assumed to have an average value of $20 per acre. Three hundred and twenty acres of land is exempt from this tax regardless of the value of the land. This tax is in addition to the regular ad valorem taxes on the land. (The wording of the statute is not very precise and is somewhat hard to interpret. It seems to turn on the assumed average value of $20 per acre. It appears to mean, for example, that if a person owned 5,000 acres of land worth $40 an acre, that would be counted the same as 10,000 acres "of average taxable value." Of this assumed 10,000 acres, 640 would pay only the regular taxes; the next 640 would pay one-fourth of 1 per cent additional tax; the next 720 acres, 1 per cent; 2,000, 2 per cent; 5,000, 5 per cent. Presumably, if the land were worth, say, $10 per acre, 5,000 would be regarded as only 2,500 acres "of average taxable value," and so on for other amounts and values. Hence the significance of the statement that 320 acres shall be exempt regardless of value.)

In addition to other taxes levied all persons holding land under lease or rental contract or title less than fee simple in excess of 640 acres are to pay a tax on the income, rents, and profits accruing to the lessee from such land in excess of 640 acres at the following rates: When the land is over 640 acres and not over 1,280 acres, 1 per cent on the income from the excess over 640 acres; when the land is over 1,280 acres and not over 2,500 acres, 3 per cent; over 2,500 acres and not over 5,000 acres, 5 per cent; over 5,000 acres and not over 10,000 acres, 10 per cent. (No rate is named for holdings in excess of 10,000 acres.)

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the methods of assessment and equalization are the same for county as for state taxes.

2. *Rate*—

The rate is determined by the county commissioners subject to the constitutional limitation and any lesser limit prescribed by statute.

The rate for county purposes as limited by the constitution is not to exceed 8 mills on the dollar.

The county levy as fixed by statute shall not exceed 5 mills and not exceeding 1 mill additional in aid of the common schools of the county and in any county in which a high school is located, an additional levy of not more than 1 mill may be made for the county high school, provided that in counties having an assessed valuation of less than $4,000,000, the county levy shall not exceed 6 mills.

3. *Collection*—

Same as for state taxes. County commissioners may contract with any person to assist the proper officers in the discovery of property not listed and assessed, and may fix the compensation of such persons at not over 15 per cent of the taxes recovered.

B. POLL TAXES.[1]

Every male person aged between 21 and 50 years, having resided in the state for 30 days and not being a county or township charge and who has not performed road duty within or without the state in that year, is subject to road duty of four days of eight hours, in each year, but may furnish a satisfactory substitute, and one day's work of man and team is equivalent to two days' work of man alone. But any person subject to road duty may become exempt therefrom by paying $1.25 for each day so exempted to the supervisor of his road district which shall be paid into the township treasury for the benefit of the road district.

C AND D. INHERITANCE AND CORPORATION TAXES.

These taxes are not used by the county.

E. BUSINESS TAXES, LICENSES, AND FEES.

Ferries, fixed by county commissioners.

An annual county tax of $50 is levied upon itinerant vendors doing business in any county of the state. The proceeds of this tax go to the county road fund.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the methods of assessment and equalization are the same for municipal as for state and county taxes.

2. *Rate*—

The rate for all purposes, state, county, city, township, town and school district purposes is limited by the constitution to 31½ mills on the dollar. As the state may levy 3½ mills and the county 8 mills, the local rates are restricted to 20 mills plus any portion of the state or county limits not used.

The limitation on rates prescribed by statute for tax levies in cities and other subdivisions are:

City levy, not more than 7 mills; incorporated town may levy, not more than 5 mills; township levy, not more than 3 mills; school district levy, for the support of common schools, not more than 5 mills. These rates may be exceeded by popular vote.

3. *Collection*—

Same as for state and county.

[1] It has been held by the courts that the road tax here described is not a poll tax within the meaning of sec. 18, Article X, of the constitution, limiting the amount of such tax to be levied to $2.

B. POLL TAXES.

The city council has power to impose a poll tax of not exceeding $1 on all able-bodied males between the ages of 21 and 60 years, and the trustees of towns are authorized to levy a poll tax of $1 on all able-bodied males over 21 and under 50 years of age.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no municipal inheritance or corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

The city council and the town board of trustees have authority to levy and collect a license tax on auctioneers, contractors, druggists, hawkers, peddlers, bankers, brokers, pawnbrokers, merchants of all kinds, grocers, confectioners, restaurants, butchers, taverns, public boarding houses, billiard tables, bowling alleys, and other amusement devices; drays, hacks, and other vehicles used in the city for pay; hay scales, lumber dealers, furniture dealers, saddle and harness dealers, stationers, jewelers, livery stable keepers; real estate agents, express companies, life and fire insurance companies or agencies, telegraph companies, theaters, etc.; doctors, dentists, blacksmiths, all manufacturing establishments, cotton gins, mills and elevators, plumbers and tinners; male dogs, $1; female dogs, $2.

SCHOOL REVENUES.

School funds of the state are apportioned to the various counties in proportion to school population. The county school fund consists in a levy not to exceed 2 mills on the dollar of the taxable property of the county, of which not over 1 mill shall be for high schools, which, with the proceeds of all moneys collected from fines, forfeitures, escheats, proceeds from the sale of estrays, penalties, and money collected from marriage licenses, is apportioned to the school districts. Additional funds may also be provided by local district levies not to exceed 5 mills.

One-half the amount received from the inheritance tax is also used for the public schools of the state.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

The following fees were added: Registration of trained nurses, $10; veterinary registration, $15; dentists from other states, $25; certificate of standing for dentist desiring a change of residence, $5; farmers' mutual fire association registration fee, $10; annual certificate of renewal, $3; agents' certificate of authority, 50 cents.

In all counties the total levy for current expenses of each county, city, and town or school district was fixed as follows: County levy not more than 4 mills, and not exceeding 1 mill additional in aid of the common schools; where the assessed valuation is less than $4,000,000 the county levy is not to exceed 6 mills for current expenses, and 1 mill in aid of common schools; where the assessed valuation is less than $10,000,000 and not less than $4,000,000, the county levy is not to exceed 5 mills for current expenses, and 1 mill for common schools; city levy not to exceed 6 mills; incorporated towns not to exceed 4 mills; township levy not to exceed 1½ mills. "Current expenses" do not include any payment to be made on the bonded indebtedness or any judgment against such county or minor civil divisions.

Building and loan associations obtain certificates of authority for periods of six months each, upon the payment of $2.50; they also pay certain examination fees.

All corporations organized for profit other than public service corporations, including National and state banks and trust companies, are assessed in the county, town, district, or city where located upon the net value of their moneyed capital, surplus, and undivided profit as the same exist on the first day of January of each year less the assessed valuation of any real estate located in the state and listed separately in the name of such corporations.

All persons, firms, associations, or corporations engaged in the production of petroleum or other minerals, oil or natural gas, pay state tax of ½ of 1 per cent of the gross value of the output.

All interstate transportation and transmission companies pay an annual tax of 4 per cent of their gross receipts. This tax is in lieu of all other taxes payable by such companies in the state.

All persons, firms, associations, joint stock companies, or corporations owning any land in the state in excess of an aggregate of 640 acres, pay upon the excess the following annual license tax for the purpose of the general expenses of the state government: For each dollar of valuation as assessed for ad valorem taxes in the preceding year the following schedules: 1 mill where such excess does not exceed 640 acres; 2 mills on over 640 acres and not exceeding 1,280 acres; 3 mills on over 1,280 acres and not over 1,920 acres; 5 mills on over 1,920 acres and not over 2,560 acres; 10 mills on over 2,560 acres and not over 3,200 acres; 15 mills on all exceeding 3,200 acres. Lands of the assessed value of $10,000 may be exempted to any person in lieu of the 640 acres. Such of the funds received from these taxes as are not used for state current expenses are turned into the common school fund. For delinquency a penalty of 18 per cent per annum and not less than 5 per cent for any part of a year is added after 30 days from the date the tax is payable.

One-half of the annual 2 per cent premium tax paid by foreign fire insurance companies is set aside as a firemen's relief fund.

In lieu of the ad valorem tax on real estate mortgages and the indebtedness thereby secured, a registration tax is imposed as follows: Fifty cents for each $100 or less of the principal debt or obligation and for each remaining fraction over $100 when such mortgage is for five years or more; 30 cents for each $100 when such mortgage is for less than five years and not more than three years, and 20 cents when it is for less than three years. This tax is for all mortgages recorded on or after July 1, 1913. The record owner of any real estate mortgage placed on record prior to July 1, 1913, may elect to pay this registration tax in lieu of any and all other taxes.

OREGON.[1]

The revenues of the state are derived from the general property tax, income from deposits of state funds, inheritance tax, corporation license fees, and licenses on gross earnings of certain classes of corporations, and other minor sources.

The general supervision of the taxation system is vested in a board of state tax commissioners.

[1] This compilation is derived mainly from the following sources:
Lord's Oregon Laws, 1909.
Session Laws of 1910–1913.
Annual Reports of State Officers, 1912.

CONSTITUTIONAL PROVISIONS.

ARTICLE I.

SEC. 32. No tax or duty shall be imposed without the consent of the people or their representatives in the legislative assembly; and all taxation shall be equal and uniform.

ARTICLE IV.

SEC. 23. The legislative assembly shall not pass special or local laws * * * for the assessment and collection of taxes for state, county, township, or road purposes.

ARTICLE IX.

SEC. 1. The legislative assembly shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation of all property, both real and personal, excepting such only for municipal, educational, literary, scientific, religious, or charitable purposes, as may be specially exempted by law.

SEC. 1a. No poll or head tax shall be levied or collected in Oregon. The legislative assembly shall not declare an emergency in any act regulating taxation or exemption.

SEC. 2. The legislative assembly shall provide for raising revenue sufficient to defray the expenses of the state for each fiscal year, and also to pay the interest on the state debt.

SEC. 3. No tax shall be levied except in pursuance of law, and every law imposing a tax shall state distinctly the object of the same, to which only it shall be applied.

SEC. 6. Whenever the expenses of any fiscal year shall exceed the income, the legislative assembly shall provide for levying a tax for the ensuing fiscal year, sufficient with other sources of income, to pay the deficiency, as well as the estimated expense of the ensuing fiscal year.

OFFICERS.

The officers most directly concerned with taxation are:

(1) County assessor, elected for a term of four years.

(2) Sheriff of the county, elected for two years, who is the tax collector.

(3) The county board of equalization, consisting of the county judge, county clerk, and assessor of each county.

(4) The "county court," which refers to the board of county commissioners in counties which have a separate board for county business, and the county judge and commissioners in other counties. There are two county commissioners in each county, elected for four years.

(5) Board of state tax commissioners composed of the governor, secretary of state, state treasurer, and two others, expert in matters of taxation, to be appointed by a majority of the three former.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All real and personal property situated or owned within the state, except such as may be specifically exempted by law, is subject to assessment and taxation in equal and ratable proportion.

(1) Real property includes the land itself, all structures attached thereto and other improvements thereon, and all rights and privileges thereto belonging; all franchises and privileges granted by the laws of the state or by municipal ordinance, other than the right to be a corporation; and all mines, minerals, quarries, fossils, and trees in, under, or upon the land.

(2) Personal estate and property shall be construed to include all things in action, household furniture, goods, chattels, moneys, and gold dust, on hand or on deposit, all boats and vessels, whether at home or abroad, and all capital invested therein; all debts due or to become due from solvent debtors, whether on account, contract, note, mortgage, or otherwise, either within or without the state; all public stocks; all bonds, warrants, and moneys due or to become due from this state, or any county or other municipal subdivision thereof, and stocks and shares in incorporated companies, and such proportion of the capital of incorporated companies liable to taxation on their capital as shall not be invested in real estate; and all improvements made by persons on land claimed by them under the laws of the United States, the fee of which land is still vested in the United States.

The following property is exempt from taxation:

(1) All property, real and personal, of the United States and this state except land belonging to this state held under a contract for the purchase thereof.

(2) All public or corporate property of the several counties, cities, villages, towns, and school districts in this state used or intended for corporate purposes, except lands belonging to such public corporations held under a contract for the purchase thereof.

(3) The personal property of all literary, benevolent, charitable, and scientific institutions incorporated within this state, and such real estate belonging to such institutions as shall be actively occupied for the purposes for which they were incorporated.

(4) All houses of public worship and lots on which situated and the furniture therein, and all burial grounds, tombs, and rights of burial; the lands and buildings thereon, not exceeding 30 acres, held and used by a crematory association incorporated under the laws of this state.

(5) All public libraries including the real and personal property.

(6) The property of Indians on reservations who have not severed their tribal relations or taken lands in severalty, except lands held by them by purchase or inheritance and situate on an Indian reservation.

(7) The personal property of all persons who by reason of infirmity, age, or poverty may in the opinion of the assessor be unable to contribute toward the public charges.

(8) All household furniture, domestic fixtures, household goods, and effects actually in use as such in homes and dwellings; also all wearing apparel, watches, jewelry, and similar personal effects actually in use.

(9) All lands within the boundary of any county road, and all dedicated streets and alleys in any incorporated or unincorporated city or town, or town plat, within the state while used for such purposes.

b. Assessment.—In general, there is but one complete assessment roll for state, county, and municipal taxes. The county is the unit, and the initial assessment is made by the county assessor. All property is to be assessed annually with reference to the first Monday in March at its true cash value—that is, the amount for which such property would sell at a voluntary sale made in the ordinary course of business. No deductions from assessments are allowed on account of indebtedness. It is the duty of the assessor to require each taxpayer, under a penalty of $50, to furnish a sworn list of his property, but such list is not binding upon the assessor, but is merely to aid him in arriving at the items and true value of the property to be assessed.

Tax maps are provided and in use by all assessors.

The form of assessment roll is not fixed by statute, but is made by the board of state tax commissioners.

Shares of stock in national banks located in the state are assessed to the individual shareholders at the place where the bank is located. The shares of capital stock of national banks not located in this state, held in this state are not assessed or taxed.

Shares of stock of other banks and interests in banking capital, building and loan associations, or trust companies are assessed to such bank, building and loan associations, or trust companies, at the place where such institutions are located.

Transient live stock is assessed in the home county, which means the county wherein the live stock is located at 1 o'clock a. m. March 1. The tax collected is apportioned to the counties in which such live stock is pastured in proportion to the time spent in each county.

The owner or holder of stock in any incorporated company which is taxed on its capital stock shall not be taxed as an individual for such stock.

Personal property pledged is deemed to be the property of the person in possession.

The board of state tax commissioners (created in 1909) has general supervisory powers over the system of taxation and collection of public taxes, dues, and revenues throughout the state.

In addition to its supervisory duties the commission is required to make an annual assessment of the property having a situs in this state, of all railroad companies, sleeping car companies, union station and depot companies, electric and street railway companies, express companies, telegraph companies, telephone companies, refrigerator car companies, oil and tank line companies, and of such heat, light, power, water, gas, and electric companies as may be doing business as one system, partly within and partly without the state, or so doing business in more than one county in the state.

The property so assessed shall include all rights of way, roadbed, cars, rolling stock, tracks, wagons, horses, office furniture, telegraph, telephone, and transmission poles, wires, conduits, switchboards, machinery, appliances, and appurtenances and all other property of a like or different kind used in the carrying on of the business of said corporation, and owned, leased, or operated by them, and all other real and personal property and all franchises and special franchises, but shall not include or subject to assessment for taxation by the commission such real estate as is not actually used in the exercise of corporate franchise or in operation of corporate business, nor to car and machine shops, grain elevators, grain warehouses, docks, bridges across the boundary rivers, the Willamette River, the water craft of any corporation, nor to the real and personal property of such corporation devoted to navigation, but such property so excepted shall be liable to assessment in the same manner as other property in the state by the several county assessors.

The term property having a situs in the state, includes all property real and personal, of the corporations, owned, leased, used, operated or occupied by them, and also such proportion of the rolling stock, cars, and other personal property of a like or different kind as is used partly within and partly without the state, as determined by the commission.

Personal property is assessed to the owner in the county of his actual residence, and includes all personal estate in his possession or control as guardian, executor, administrator, or trustee.

The personal property of corporations is taxed in the county where the principal place of business is located, unless otherwise provided by law. That of those engaged in navigation, at the home port of the water craft in whatsoever county located.

All lands shall be taxed in the county in which the same shall lie.

Public lands sold or contracted to be sold are assessed to the purchaser as of March 1 of the assessing year at the hour of 1 a. m., which terminates the previous assessing year.

The undivided estate of any deceased person may be assessed to his heirs or devisees, and each heir and devisee is liable for the whole of such tax, with the right of contribution from the other heirs and devisees to the payor.

Merchandise, capital, and machinery are taxable in the county, city, or other municipal corporation where the same may be, either to the owners or to the persons having charge or possession thereof, whether owned by a person or corporation residing in or out of the state.

Every person, firm, corporation, or association holding real or personal property is required to list same and state in his account thereof to the assessor the true cash value of all such property, and may be required by the assessor to verify same under oath.

Personal property of nonresidents is assessed in the same manner as that of resident citizens.

The investments by banks in real estate are deducted from the aggregate amount of its capital stock, surplus fund, and undivided profits and assessed and taxed as other real estate. The remainder constitutes the value of the shares of stock as a basis for taxation in the hands of the stockholders. A list of stockholders, showing the number of shares held by each party in interest, is furnished the assessor annually between the 1st day of April and the 15th day of May relating to such ownership as of the hour of 1 o'clock a. m. on the 1st day of March preceding.

Such taxes become a lien on the shares and upon any dividends earned, and when unpaid become delinquent after the first Monday in May in each year and may be sold on execution in the same manner as other property is sold for delinquent taxes.

The assessment is to be completed in each county before the third Monday in October.

c. Equalization.—The board of state tax commissioners reviews and equalizes the assessments of the county assessors after equalization by the county boards of equalization, and if any property has been assessed at other than full cash value, shall change the apportionment of property within that county assessable, in a like proportion.

2. *Rate*—

Taxes for the support of the state government are apportioned among the several counties in the proportion which the total taxable property of each county, as equalized by the board of state tax commissioners, bears to the total taxable property of all the counties as so equalized.

3. *Collection*—

The amount of state tax apportioned to the county is to be levied and collected in the same manner as the county taxes, and the county is debtor to the state for this amount. One-half is to be paid over by the county treasurer by May 1 and the remainder, by November 1.

Taxes on real property are due from the day the warrant for collection is issued to the sheriff, and all taxes are due on or before the first Monday of April following the levy, but if one-half is paid at that time the remainder need not be paid till the first Monday in October. For payment before March 15, a rebate of 3 per cent is allowed, and for delinquency a penalty of 10 per cent is charged, with interest at 12 per cent. Delinquent taxes on personal property may be collected by the sheriff by levy and sale, and may be charged against real property of the owner, in which event they become a lien upon such real estate the same as taxes upon real estate.

Six months after taxes on real property become delinquent, it is the duty of the tax collector upon demand for payment of the taxes, penalty, and interest, to issue certificates of delinquency which bear interest from the date of issuance until redeemed, at the rate of 15 per cent, and have the same force and effect as a judgment or execution against the property.

B. POLL TAXES.

Constitutional amendment forbids the levying of poll or head taxes.

C. THE INHERITANCE TAX.

All property within the jurisdiction of the state, whether belonging to the inhabitants thereof or not, both tangible and intangible, passing by will or by statutes of inheritance of this or any other state, or by deed, grant, bargain, sale, or gift, intended to take effect in possession after the death of the grantor is subject to an inheritance tax.

Property passing to benevolent, charitable, or educational institutions incorporated within the state and actually engaged in this state in carrying out the objects and purposes for which so incorporated, or to be held in trust for such institutions is exempt from this tax.

When such inheritance passes to parents, grandparents, husband, wife, child, brother, sister, wife or widow of a son, or the husband of a daughter, or any child or children adopted as such or in the acknowledged relation of child or decedent or to any lineal descendant born in lawful wedlock, in every such case the tax shall be at the rate of 1 per cent on the appraised value thereof. Estates valued at less than $10,000 passing to beneficiaries of this class are exempt, and the tax is levied only on the excess of $5,000 received by each.

If to an uncle, aunt, niece, nephew, or any lineal descendant of the same, at the rate of 2 per cent of the value thereof. Estates valued at less than $5,000 passing to beneficiaries of this class are exempt, and the tax is levied only on the excess of $2,000 received by each.

In all other cases the tax shall be at the rate of 3 per cent on the appraised value thereof received by each person, body politic, or corporation on the whole of all amounts received not exceeding $10,000; over $10,000 and not exceeding $20,000, 4 per cent; over $20,000 and not exceeding $50,000, 5 per cent; on the whole of all amounts received over $50,000, 6 per cent. Estates valued at less than $500 passing to beneficiaries of this class are exempt, and the tax is levied only on amounts of $500 or more received by each.

The judge of the county court having jurisdiction of the estate of any decedent shall determine the value of each inheritance and apply the provisions of the law in ascertaining the tax due thereon.

This tax is payable to the state treasurer for the use of the state.

Every tax imposed is a lien upon the property passing under this law until paid. If paid within 8 months of accrual, a discount of 5 per cent is allowed; if not paid in that time, interest is charged at the rate of 8 per cent, except in the case of unavoidable delay, when the rate is 6 per cent until the cause of such delay is removed.

D. CORPORATION TAXES.

Corporations are taxed on their real estate and personal property in the same manner as individuals. The owner of stock in any company taxed on its capital is not to be taxed as an individual for his stock.

In addition to other taxes, telegraph and telephone companies pay a license tax of 2 per cent of the gross receipts derived from business done in the state; express, sleeping car, refrigerator car, and oil companies pay 3 per cent of their gross receipts.

Foreign insurance companies pay a tax of 2 per cent on the amount of gross receipts from business done in the state less losses paid. This tax is in lieu of all taxes on personal property and shares of stock of the company. Real property is to be listed, assessed, and taxed as that of individuals.

E. BUSINESS TAXES, LICENSES, AND FEES.

Every corporation organized under the laws of the state, except corporations formed for any educational, literary, scientific, religious, or charitable purposes, and every foreign corporation, except fire, marine, life, accident, plate glass, and steam boiler insurance, and surety companies, pays an annual license fee in proportion to the amount of its authorized capital stock, as follows:

Capital, $5,000 or less, $10; capital, $5,000 to $10,000, $15; capital, $10,000 to $25,000, $20; capital, $25,000 to $50,000, $30; capital, $50,000 to $100,000, $50; capital, $100,000 to $250,000, $70; capital, $250,000 to $500,000, $100; capital, $500,000 to $1,000,000, $125; capital, $1,000,000 to $2,000,000, $175; over $2,000,000, $200.

Agents of foreign life insurance companies, per annum, $100; license to each life insurance company, per annum, $100; license to each fire insurance company, per annum, $150; license to each accident, casualty or credit insurance company, per annum, $100; fraternal insurance societies, $25; (the commissioner of insurance receives 40 per cent of these licenses); foreign insurance company, annual statement, $5; insurance solicitors, $5; fish canneries (25 classes, according to number of cases packed), $100 to $1,500; fish dealers or packers (30 classes, according to number of tons handled), $5 to $2,000; private fish hatcheries, $25 per annum; dealers in fish obtained from private fish hatcheries, $2.50 per annum; all money collected from fish canneries, dealers, and private fish hatcheries goes into the fish hatchery fund.

Corporations engaged in mining of the precious metals but not engaged in transacting any other business, whose annual output is not in excess of $1,000 in value, are permitted to file a statement with the secretary of state, and in lieu of the regular annual license fee provided by law for corporations on the amount of their capital stock, a license fee of $10 is charged them. Licensed shipping master, $50. Licensed sailors' bording house keeper, $250, on Willamette and Columbia Rivers.

Registration or reregistration of motor vehicles: Electric service vehicles, $5; motorcycles and motor bicycles, electric vehicles for pleasure, steam, gasoline, and other hydrocarbon-operated vehicles up to 26 horsepower, $3; 26 to 36 horsepower, $5; 36 to 40 horsepower, $7.50; in excess of 40 horsepower, $10. Nonresident owners who have complied with the provisions of the laws of the state of their residence are exempt for a 30 days sojourn in this state, but this exemption does not apply to motor vehicles of nonresident corporations doing business in the state nor to exempt nonresident corporations.

Registration of chauffeurs, $2, annually, but from August 1 to December 31, $1.

Claimants of water rights for power development pay an annual license fee in advance based upon the theoretical water horsepower claimed as determined by a graduated scale of 10 cents each horsepower up to 100 horsepower, 5 cents for each horsepower in excess of 100 up to 1,000 horsepower and 1 cent for each and every theoretical water horsepower in excess of 1,000.

Domestic corporations: Filing and recording articles of incorporation, when authorized capital stock is less than $5,000, $10; $5,000 to $10,000, $15; $10,000 to $25,000, $20; $25,000 to $50,000, $25; $50,000 to $100,000, $35; $100,000 to $250,000, $45; $250,000 to $500,000, $60; $500,000 to $1,000,000, $75; over $1,000,000, $75, and $75 for each $1,000,000 or fraction thereof in excess of $1,000,000.

Corporations organized for charitable, educational, literary, religious, or scientific purposes, $5; filing certificate of dissolution, $5; filing supplementary articles of incorporation, $5; foreign corporations, fee upon filing declaration, $50.

Certificate of deposit by foreign corporation, recording, $25; issuing license to life insurance agent, $10.

Filing power of attorney by insurance company, $5.

Practice of medicine, examination, $10; pharmacists, examination, $5; assistant pharmacists, examination, $5; dentists, examination, $10; barbers, examination, $5; barbers, registration, $1.

The superintendent of banks collects from each bank for each complete examination a fee regulated by the capital and surplus. Banks having a capital and surplus of $20,000 and under, $15; $20,000 to $50,000, $25; $50,000 to $75,000, $30; $75,000 to $100,000, $40; $100,000 to $250,000, $50; $250,000 to $500,000, $75; $500,000 to $750,000, $100; over $750,000, $125.

F. THE INCOME TAX.

There is no income tax in Oregon.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the methods of assessment and of equalization are the same for county taxation as for state.

c. Equalization.—The board of equalization of the county equalizes between individuals and corrects the assessment roll of the county. The county court is authorized to complete the equalization as to unfinished matters pending before the board at the time of adjournment, and also to examine and correct the roll in general.

2. *Rate—*

The "county court," levies the tax for county purposes, together with the amount of state and school taxes required by law to be raised in the county for the year.

3. *Collection—*

The collection for county taxes is the same as for state.

B. POLL TAXES.

Constitutional amendment forbids the levying of poll or head taxes.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no inheritance or special corporation taxes for the counties.

E. BUSINESS TAXES, LICENSES, AND FEES.

Insurance brokers, quarterly, $15. The county court requires licenses from—keepers of billiard tables and bowling alleys, per annum, $50; dance houses, per month, $100; public shows, each performance, $10 to $500; ferries, per annum, $1 to $100; liquor licenses, general, per annum, $400; liquor licenses, malt liquors only, per annum, $200. Peddler—on foot, $25; one horse and wagon, $100; two horses and wagon, $150; any other conveyance, $300.

In addition to the license fee every person so licensed shall deposit a sum of money equal in amount to the license fee, which is retained by the county treasurer as money subject to any claims that may arise in connection with the business done in the county. Ninety days after the expiration of the license whatever portion may be remaining unencumbered is returnable to the depositor. But this shall not apply to licenses granted by incorporated cities or towns which by charter may grant licenses within their municipal limits for like purposes.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the assessment and equalization thereof are in general the same as for state and county taxes.

2. *Rate—.*

The rate is determined by the council of cities and towns which levy municipal taxes at the rate prescribed by their charter. It is the duty of every incorporated city authorized to levy taxes, to notify the county clerk, in writing, of the rate of the tax levy made by such city, on or before the 1st day of January in each year. The taxes are then computed by the clerk of the county court.

3. *Collection—*

Collection is the same as for county taxes.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no municipal, inheritance, or special corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

The common council in cities and towns has power to license, regulate, and control any lawful business, trade, occupation, profession, or calling.

Liquor licenses may not be granted for a less sum than provided by the general laws of the state.

School Revenues.

The irreducible school fund of the state is composed of the proceeds of the sales of the sixteenth and thirty-sixth sections of every township in the state or of any land selected in lieu thereof; all property accruing to the state by escheat or forfeiture; proceeds of the sale of tidelands or sand islands; all the proceeds of the sale of 500,000 acres of land granted to the state by Congress by act approved September 4, 1841, and certain other miscellaneous income. The interest of this fund, which is to be loaned out, is to be apportioned among the counties in proportion to the number of children. The county superintendent distributes the county's share among the several school districts of his county.

Each county of the state is divided into school districts. The county commissioners of the several counties are required to levy, with other taxes, a tax sufficient to raise at least $7 for each child in the county between 4 and 20 years of age. This school tax is apportioned to the districts. The county courts are also required to include in the annual levy an amount sufficient to maintain a county high school when one is established.

In case a district does not levy a special tax of at least 5 mills on the dollar for maintenance for the ensuing year, it will be the duty of the county court of the county in which said district is located to levy a tax not to exceed 5 mills on the dollar on all the taxable property in said district to provide for the difference between the amount received from the county apportionment fund and $300.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

Board of state tax commissioners was succeeded by the state tax commission.

Taxes remaining unpaid after the 1st day of April are subject to a penalty of 1 per cent which becomes cumulative by an additional 1 per cent for each succeeding month, amounting to 5 per cent prior to September 1, after that the same penalty attaches as formerly when not paid before the first Monday in October.

At the expiration of one month after taxes become delinquent on any real property in the county, the sheriff is required and empowered to issue a certificate of delinquency against such property, to any person on demand who pays the principal and interest due thereon.

A corporation department and a commissioner of corporations was provided for and a "Blue Sky" law governing investment companies was enacted providing for filing fees of $5 and $2.

An annual levy of $\frac{1}{10}$ of 1 mill on all taxable property in the state was provided for, the revenue to go to the support of the state agricultural college, this tax to take effect after January 1, 1915.

The county treasurer was made ex officio county tax collector.

The sheriff was authorized to collect delinquent taxes.

The county courts were authorized to levy a tax not to exceed 1 mill for county fairs, etc., and a $\frac{1}{2}$ mill tax for the purpose of agricultural investigations.

Many new licenses and fees were provided for among the most important being the following: Attorneys' fees for filing application for admission to the bar, resident $20; nonresident $30. Foreign corporations, except insurance, casualty, and surety companies pay an annual license of $100. Manufacturers and dealers in motor vehicles, an annual license of $10; certified public accountants, examination and certificate fee, $25; certificate without examination, $10; annual registration, $1; dentist's examination fee, $25; and annual license, $1.50; commission merchants' annual license, $5; hunter's license, resident, $1; nonresident, $10; alien, $10, and a gun license of $25; corporations lending money at a higher annual rate than 10 per cent, $50; pharmacist's examination fee, $10; annual registration fee, $1.

The county courts were authorized to establish special road districts and to levy taxes to construct county roads therein; they were also authorized to levy taxes to establish and maintain demonstration farms.

The fees for examination of banks increased, beginning January 1, 1915, to from $17.50 to $250 for each examination, graduated into 12 classes, according to the amount of capital and surplus. The fees for the examination of trust companies, to be made at least once a year, are the same as those of banks, and they pay also $25 for certificate of authority, and $10 for filing annual reports.

PENNSYLVANIA.[1]

Pennsylvania places the burden of taxation for state purposes almost wholly on corporations and insurance companies. Mortgages, bonds, and certain other classes of personal property, however, pay a state tax, but three-fourths of this tax is returned to the counties to relieve the burden of local taxation. Corporations are taxed by the state, except on their real estate, which is taxed locally. Local taxation falls principally upon the real estate of individuals, also on horses and cattle, occupations, licenses, and certain corporate real estate, as that of manufacturing companies, but not that of railroads and other quasi public corporations, which are exempt from local taxation upon property essential to the exercise of their franchise privileges.

The bulk of the revenue derived from retail liquor licenses goes to the counties, townships, boroughs, and cities.

There is a state inheritance tax on collateral inheritances. There is also an established system of business taxes and licenses, and special state taxes are levied on writs, wills, deeds, and certain emoluments of public office. Capital stock of manufacturing corporations is exempt from taxation.

In counties and municipalities all offices, posts of profit, professions, trades, and occupations, as well as single freemen following no calling, are assessed along with property, but there appears to be a tendency to change these taxes into a uniform poll tax, more especially for school purposes.

CONSTITUTIONAL PROVISIONS.

ARTICLE IX.

SEC. 1. All taxes shall be uniform upon the same class of subjects, within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws; but the legislative assembly may, by general laws, exempt from taxation public property used for public purposes, actual places of religious worship, places of burial not used or held for private or corporate profit, and institutions of purely public charity.

SEC. 2. All laws exempting property from taxation, other than the property above enumerated, shall be void.

SEC. 3. The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the state shall be a party.

[1] This compilation is derived mainly from the following sources: Acts of the general assembly of Pennsylvania under which revenue is collected, with opinions and decisions of the courts, arranged by E. B. Hardenbergh, auditor general, 1904. State Printer, 1904.
Compendium and Brief History of Taxation in Pennsylvania, with Statistics, etc. Arranged by W. P. Snyder, auditor general, 1906. Harrisburg, Pa., State Printer, 1906.
Taxation for State Purposes in Pennsylvania, etc., by Frank M. Eastman. Philadelphia, Kay & Bro., 1908.
Brightly's Digest, and the Session Laws to 1913.

SEC. 10. Any county, township, school district, or other municipality, incurring any indebtedness, shall, at or before the time of so doing, provide for the collection of an annual tax sufficient to pay the interest, and also the principal thereof, within 30 years.

ARTICLE III.

SEC. 1. The general assembly shall not pass any local or special law exempting property from taxation.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Township and borough assessors, elected for three years.

(2) Assessors in counties having not less than 800,000 nor more than 1,400,000 population, appointed by the board of assessment and revision of taxes.

(3) Assessors in cities of the second class, no less than five nor more than nine, residents for at least 10 years, and not to be members of the same political party, elected by the city council, for three years; the number to be fixed by ordinance.

(4) Assessors in cities of the third class, three residents, elected by the people by wards, for three years.

(5) Board of revision of taxes in cities of the third class, five residents, elected by the city council, for three years.

(6) City treasurers in cities of the third class, elected. They are collectors of all city, school, and poor taxes of the city.

(7) Collectors of state and county taxes, appointed by the commissioners of the county.

(8) Collectors for cities, townships, and boroughs, elected generally for a term of three years.

In townships of the first class, the township treasurer is collector.

(9) Board of revision in counties, composed of the county commissioners. This board acts as a board of equalization. In counties of 800,000 and not more than 1,400,000 population the county commissioners appoint three persons who constitute a board of assessment and revision.

(10) State board of revenue commissioners, composed of the auditor general, state treasurer, and secretary of the commonwealth.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—Property subject to this tax for state purposes is limited to certain classes of intangible personalty and vehicles for hire.

Intangible personalty includes all mortgages, all money owing by solvent debtors, all articles of agreement, and accounts bearing interest; all public loans except those of the state or of the United States; all loans issued by or shares of stock in any bank, corporation, association, company, or limited partnership, including car trust securities, bonds, or other evidence of indebtedness, except shares of stock in any company liable to the capital stock tax, or by legislation specially exempted from capital stock tax; all moneys loaned or invested outside the state; all other moneyed capital in the hands of individual citizens of the state; and all annuities yielding annually over $200, except those granted by the United States.

Bank notes and notes discounted or negotiated by any banking institution, building and loan associations, fire companies, firemen's relief associations, secret and beneficial societies, labor unions and labor union relief associations, and all beneficial organizations paying sick or death benefits from funds received from voluntary contributions or assessments upon members of such associations, societies, or unions; also pleasure carriages, horses, mules, and cattle are exempt.

Under "vehicles" are included all stages, omnibuses, hacks, cabs, and other vehicles used for transporting passengers for hire, except steam and street passenger railway cars.

b. Assessment.—In counties containing 800,000 and not more than 1,400,000 inhabitants, as shown by the last preceding Federal census, all assessments and valuations of property, both real and personal, taxable for state and county purposes, including occupations, are made by the board of assessment and revision of taxes which appoints subordinate assessors, one for each designated district in each county.

In counties of less than 800,000 inhabitants the assessment is made by the local assessors of the several townships, boroughs, and cities of the respective counties. Sworn lists are to be made by the taxpayers of the different classes of personal property subject to the state tax. False returns are punishable by a fine of $500 and imprisonment not exceeding seven years, while 50 per cent is added for refusal to make return. The recorder of deeds and mortgages is to keep a daily record of every mortgage or agreement given to secure the payment of money and file the same with the board of revision of taxes (county commissioners). The prothonotary or clerk of the court of common pleas in each county is to keep records of judgments, bills, bonds, etc., entered in his office, and file the same with the board of revision. Mortgages and judgments held by nonresidents are to be certified to the proper county. Statements of these securities are in turn to be furnished the assessors and compared with returns.

Unnaturalized foreign-born residents having resided one whole year within the state are subject to taxation in the same manner as citizens of the state, except that they are not taxable for any poll tax the payment of which is a prerequisite to the privilege of voting.

Railroads and other transportation and transmission companies are assessed for state purposes only on such property as is not essential to operation or the exercise of their franchise. They are exempt from all local taxation on such property as is essential to operation, such as railroad tracks, rolling stock, stations, telegraph lines, etc., except railroad property in Philadelphia and Pittsburgh. The tax on capital stock exempts them from taxes on personal securities. Transportation companies are thus taxed under the general corporation taxation and pay little in the way of state or local taxes on property. They are taxed principally on capital stock, gross receipts, and domestic-held bonds, and by the bonus on charters.

c. Equalization.—The board of revision corrects and equalizes the assessments made by each assessor in the county upon mortgages, credits, stocks, loans, investments, etc., as well as other property taxable for county purposes.

The board of revenue commissioners equalizes the assessments of taxes for the use of the state among the several cities and counties in proportion to actual value, and any county considering itself aggrieved by

increase in valuation of personal property liable to state tax and the quota of tax due may appeal to the court of common pleas of Dauphin County.

2. *Rate—*

The rate of the personal property tax for state purposes is 4 mills on the dollar.

3. *Collection—*

Collection is to be made by the collectors of the several counties and cities. Counties are responsible for collection, and settlement is to be completed with the state treasurer by the second Monday of November, or in default thereof 10 per cent penalty is added to taxes remaining unpaid. The city and county treasurers are permitted to retain their commissions for collection. Three-fourths of the net amount of tax is to be returned by the state treasurer to the counties for their own use in payment of expenses incurred in assessment and collection.

B. POLL TAXES.

There is no state poll tax.

C. THE INHERITANCE TAX.

All estates of every kind whatsoever, situated within this state, whether the person or persons dying seized thereof be domiciled within or without the state, and all estates situated in another state, territory, or country, when the person or persons dying seized thereof shall have their domicile within this state, passing either by will or under the intestate laws of the state or transferred by deed, grant, bargain, or sale made or intended to take effect in possession or enjoyment after the death of the grantor or bargainer to any person or persons or to bodies corporate or politic in trust or otherwise, other than to or for the use of father, mother, husband, wife, children and lineal descendants born in lawful wedlock, children of a former husband or wife, or the wife or widow of the son of the decedent, is subject to a tax of 5 per cent of the clear value of such estate.

This tax is for the use of the state. If the tax shall be paid within three months after the death of the decedent, a discount of 5 per cent is allowed; and if the said tax is not paid at the end of one year from the death of the decendent, interest shall then be charged at the rate of 12 per cent per annum from the end of such year until paid.

No estate which may be valued at a less sum than $250 shall be subject to this tax.

D. CORPORATION TAXES.

Corporations are subject to both state and local taxation.

The local taxation of a corporation is like that of an individual and includes taxes on tangible property. Public service companies, however, are exempt, not by statute, but by judicial decision, from local taxation on property used in their business, except that by statute the real estate of railroads is subject to local taxation in Philadelphia and Pittsburgh. Public service companies include railroad, canal, and telegraph companies, natural and artificial gas companies, electric light companies, street railway companies, etc. (Eastman, Private Corporations in Pa., 3655.)

Manufacturing companies, except those manufacturing spirits or malt liquors, are exempted from state taxation on property actually and exclusively employed in carrying on manufacturing within the state, but every manufacturing corporation, limited partnership, or joint-stock association shall pay the state tax of 5 mills upon such proportion of its capital stock as may be invested in any property or business not strictly incident or appurtenant to its manufacturing business, in addition to the local taxes assessed upon its property in the districts where located.

Aside from the bonus on charters, paid once only at the time of beginning business or increasing stock, all public service corporations, and a number of others, pay in general three taxes to the state: (*a*) On capital stock, 5 mills; (*b*) on the interest paid on loans, 4 mills; (*c*) on the gross receipts, 8 mills.

Foreign railway corporations pay a bonus to the state in lieu of local taxation for the privilege of passing through certain counties, which moneys are later apportioned to the counties. Payment of this bonus is a condition precedent to the granting of the charter.

Bonus on charters.—Except building and loan associations and corporations of the first class, every domestic corporation is required to pay to the state treasurer at the time of beginning business or increasing stock, for the privileges conferred in its charter, a bonus of one-third of 1 per cent upon the authorized amount of its capital stock, and the charter is forfeited for nonpayment of such bonus.

Foreign corporations, except insurance companies, are subject to the same conditions and bonus upon their capital employed wholly within the state.

Tax on capital stock.—The ordinary tax imposed by the state upon corporations is that upon capital stock. Every corporation, joint-stock association, or company having capital stock, and every foreign corporation, except banks, savings institutions, and foreign insurance companies, are required to pay an annual tax of 5 mills on each dollar of capital stock except as noted in the paragraphs which follow. The assessment is made on the basis of reports which give an estimate of the value, which is to be not less than the average price for which the stock was sold and not less than the value indicated by the net earnings. The auditor general and the state treasurer may revise this valuation. The corporations are not required to pay any further tax upon mortgages, bonds, and other securities owned by them and in which the whole body of stockholders or members, as such, have the entire equitable interest in remainder; any other manner of owning or holding such securities will subject same to taxation, but the value of real estate taxed locally is not to be deducted. The tax on capital stock does not apply to that of manufacturing companies used in the state and which is invested purely in the manufacturing plant and business, except companies brewing and distilling spirits and malt liquors and

such as exercise the right of eminent domain. Foreign corporations are taxed only on the portion of capital stock employed in the state, and the same is true of domestic corporations. Fixed capital employed in business outside the state is deducted. The tax on capital stock is thus a tax on the company's property and assets, together with the franchises, privileges, good will, and earning capacity. Corporations and limited partnerships, foreign or domestic, which have no capital stock or which do not pay a tax on capital stock are required to pay a tax of 3 per cent upon their annual net earnings or income in addition to taxes on personal property. This does not apply to manufacturing companies.

The tax on fire and marine insurance companies is at the rate of 3 mills on each dollar of actual value of the whole capital stock.

Tax on bank stock.—Every bank or savings institution having capital stock, whether incorporated under the laws of the state or of the United States, makes to the auditor general a report each year setting forth the full number of shares subscribed for or issued and the actual value thereof, which is taken to be equal to the amount paid in on the capital stock plus the surplus and undivided profits. The tax is assessed as to the stockholders, but is paid by the banks, which have a lien on the stock and on the dividends to secure reimbursement. The banks have the option of paying at the rate of 4 mills on the dollar of the actual value, as above defined, or at the rate of 10 mills on the dollar of the par value of the stock. The 10-mill tax, or the 4-mill tax if paid before March 1, is in lieu of all local taxation except taxes on real estate.

Trust companies are taxed at the rate of 5 per cent on the actual value of the stock.

Building and loan associations chartered by the state of Pennsylvania are not subject to the provisions concerning taxation of capital stock as herein enumerated.

All "full paid, prepaid, or fully matured" stock in any building and loan association upon which cash dividends are paid is required to pay a state tax equal to that on moneys at interest by the tax laws of the state, viz, 4 mills on the dollar. Such tax is to be deducted from the cash dividend or interest and paid to the treasurer of the state.

Distilling companies are subject to a state tax of 10 mills upon each dollar of the actual value of the whole capital stock. The auditor general assesses the value upon reports by the corporation.

Tax on receipts.—Every railroad, pipe line, conduit, steamboat, canal slack water transportation, street car, telephone, telegraph, express, electric light, and car company is required to pay a tax of 8 mills on the dollar of gross receipts from business in the state. The tax is to be paid semiannually upon the last days of January and July. There is a penalty of 10 per cent for neglect to make return and pay the tax.

Private bankers or brokers pay 1 per cent on gross earnings. Savings institutions and corporations not subject to a tax on their capital stock or gross premiums are subject to a tax of 3 per cent on their net earnings or income.

Domestic insurance companies pay a tax of 8 mills upon the gross premiums and assessments received from business transacted within the state, except companies doing business on the mutual plan without capital stock or reserve. The companies are to make semiannual reports and pay the taxes on the last days of January and July.

Foreign insurance companies pay an annual tax of 2 per cent on gross premiums received from business in the state.

Tax on corporate loans.—The treasurer of every corporation is to deduct from interest payable on any scrip, bond, or other indebtedness of the corporation due to residents of Pennsylvania a state tax of 4 mills on the dollar of such debts.

This tax is laid on the bonds of all corporations, public or private, excepting banks, savings institutions, and foreign insurance companies, and including counties and cities.

The tax is not on the corporation or its property, but on the individual citizen of the state who holds the bonds. The corporation is chargeable only as collector. The tax was formerly laid on all bondholders, foreign and domestic, but was held unconstitutional as to foreign bondholders in the case of state tax on foreign-held bonds.

E. BUSINESS TAXES, LICENSES, AND FEES.

The following business taxes and licenses are annual unless otherwise specified:

Dealers and vendors.—Retail dealers and vendors, $2 and also 1 mill additional of the whole volume, gross, of business transacted annually; wholesale dealers and vendors, $3 and ½ mill additional on gross business; dealers and vendors at exchanges and boards of trade, 25 cents on each $1,000 gross sales.

Brokers' annual license fees—all stock, exchange, bill, real estate, and merchandise brokers are required to take out an annual license before they engage in business. For such license they pay, if a resident of Philadelphia County, $100; Allegheny County, $50; any other county, $25. In addition to these license fees license taxes are collected annually, as follows: All brokers, factors, real estate agents, and pawnbrokers pay an annual license tax when gross annual receipts are less than $5,000, $10; $5,000 to $10,000, $25; $10,000 to $20,000, $50; $20,000 and over, $100. Insurance brokers, $10 if issued to an individual, $25 to a company. License as excess insurance broker, $100; for license as agent for any company not incorporated under the laws of the state, $2.

Auctioneers pay 3 per cent of the gross amount of annual business except in the city of Philadelphia, where the annual license fee is $500.

Shooting galleries, billiards, bowling alleys, etc., $20 for the first table or alley and $10 for each additional table or alley, and $25 for season at summer resorts, covering all tables, alleys, etc., in use on the premises. Manufacturers and importers on sale of commercial fertilizers—100 tons or less, $15 for each brand; 100 to 500 tons, $20 for each brand; 500 tons or more, $30 for each brand sold within the state during the preceding year; where none has been sold within the state, $15 for each distinct brand.

Wholesale liquor dealers—cities, first and second classes, $1,000; cities, third class, $500; borough, $250; townships, $125. Rectifiers, compounders, storekeepers, and agents—cities, first and second classes, $1,000; cities, third class, $500; boroughs, $200; townships, $100. Licenses are collected by the county treasurer and paid over to the state, as follows: Retail liquor dealers (for state in addition to local licenses)—cities, first and second classes, $100; other cities, $50; boroughs, $50; townships, $25. Distillers—production less than 50 barrels, $100; 50 to 100 barrels, $200; 100 to 200 barrels, $250; 200 to 300 barrels, $300; 300 to 400 barrels, $400; 400 to 500 barrels, $500; 500 to 3,000 barrels, $1,000; 3,000 to 5,000 barrels, $1,250; 5,000 to 10,000 barrels, $1,500; 10,000 to 20,000 barrels, $1,750; over 20,000 barrels, $2,000; all new distilleries and breweries, first year, $1,000. Bottlers—cities, first and second classes, $500; cities, third class, $350; boroughs, $250; townships, $125. Brewers' license to sell to licensed dealers only, $1,000; and the following wholesale licenses: Production, less than 1,000 barrels, $250; 1,000 to 2,000 barrels, $300; 2,000 to 3,000 barrels, $400; 3,000 to 5,000 barrels, $500; 5,000 to 10,000 barrels, $750; 10,000 to 20,000 barrels, $1,000; 20,000 to 30,000 barrels, $1,250; 30,000 to 40,000 barrels, $1,500; 40,000 to 50,000 barrels, $1,750; 50,000 to 60,000 barrels, $2,000; 60,000 to 70,000 barrels, $2,250; 70,000 to 80,000 barrels, $2,500; 80,000 to 90,000 barrels, $2,750; 90,000 to 100,000 barrels, $3,000; 100,000 to 150,000 barrels, $4,000; 150,000 to 200,000 barrels, $4,500; 200,000 to 300,000 barrels, $5,000; over 300,000 barrels, $6,000. Manufacturers, dealers, and users of oleomargarine and renovated butter—manufacturers, $1,000; wholesale dealers, $500; retail dealers, $100; restaurant keepers and hotel proprietors, $50; boarding house keepers, $10. Hawkers and peddlers—retail peddlers, on foot, $8; with one horse and wagon, $16; with two horses and wagon, $25; wholesale peddlers, with one horse and wagon, $40; with two horses and wagon, $50. Retail licenses authorize to do business within the county where issued; wholesale licenses authorize to do business in any part of the state.

Stallions and jacks, registration and licensing the same, $3, and $1 for renewal of license, payable to the state.

By secretary of the commonwealth.—Filing papers creating corporation, $30; filing increase or decrease, capital stock, $35, with waiver of notice; without waiver of notice, $30; filing articles of association, railroads, $82; filing agreements of merger and consolidation, $65; amendments to charter, $30; instrument incorporating bank, per $1,000 capital, 10 cents; instrument incorporating companies, $25; prothonotary writ of error or appeal entered by the supreme court, to be paid by the losing party, $3.50; original writs in common pleas, 50 cents; transcript of judgment of justice of peace, 25 cents.

By insurance commissioner.—For valuation of life policies not exceeding 1 cent for each $1,000 of insurance valued: for filing copy of charter, $25; for filing annual or other statements, $20; for license to company or certified copy, $2; for each copy of any paper filed, 20 cents per folio and $1 for certificate; for any other certificate, $2.

By register of wills.—Probate of wills or letters of administration, 50 cents.

By recorder of deeds.—Recording deeds and mortgages, 50 cents; commissions of inferior officers of cities and counties, clerks of court, health officers, notaries, recorders, etc., $10.

F. THE INCOME TAX.

There is no income tax in Pennsylvania.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—Property subject to and exempt from taxation for county purposes is as follows:

(1) Real estate, including all houses, lands, lots of ground of all descriptions, furnaces, forges, bloomeries, distilleries, sugarhouses, malthouses, breweries, tanyards, and ferries.

(2) The following personal property, viz: All horses, mares, geldings, and cattle above the age of 4 years. Mortgages, judgments, and articles of agreement given by corporations for the sale of real estate are taxable.

(3) In addition to public property, churches, cemeteries not used for private or corporate profit, hospitals, colleges, and institutions of learning, benevolence, or charity, public libraries, and endowments thereof and property used for public museums and art galleries are exempt, including, however, only the land necessary for the convenient use of the building or buildings erected or hereafter to be erected thereon, occupied, and used for the purposes above described; and providing also that all property, real and personal, in actual use and occupation for the purposes aforesaid shall be subject to taxation, unless the person or persons, associations or corporations so using and occupying the same shall be seized of the legal or equitable title in the realty and possessor of the personal property absolutely.

Mortgages, judgments, and moneys owing upon articles of agreement for the sale of real estate, except those of corporations, are exempt from all taxation except for state purposes.

b. Assessment.—The county assessment is made triennially by the assessors of the respective townships, wards, and districts. The assessment is to be made between the second Monday of September and the 31st day of December, and refers to the second Monday in September.

The reassessment of property between the periods of the triennial assessments is required to be completed and the return thereof made to the commissioners not later than 90 days from the date of the issuing of the precepts to the assessors, which are issued on or before the second Monday of September. Property is to be assessed at its actual value, being the price for which it would sell. The list is made by the assessors, and no statement of valuation is required of the taxpayer. Timberlands are assessed separately from cleared lands. No reduction from the value of real estate is made for any ground rent, dower, or mortgage.

In counties of 800,000 to 1,400,000 population, as shown by the last Federal census, all assessments and valuations of real and personal property taxable for state and county purposes, including occupations, shall be made by the board for the assessment and revision of taxes, which is appointed by the county commissioners for a term of four years.

The county is divided into districts and a subordinate assessor appointed for each of said districts by the board. In counties coming under the provisions of this act, the office of ward, borough, or township assessor is abolished in so far as respects assessments for state and county purposes.

Failure to make return renders the taxpayer liable to an increase of 50 per cent of the assessment. False return is punishable by a fine of $500 or imprisonment not exceeding seven years.

All offices and posts of profit, professions, trades, and occupations, and all single freemen above the age of 21 years who do not follow any occupation or calling, are to be assessed by the assessors of the several counties along with real estate and personal property.

All unseated lands—that is, lands lacking either residence or cultivation—are to be assessed in the same manner as other property. Holders of such lands are to make returns to the commissioners of the county under penalty of quadruple the tax.

Seated lands are to be assessed where the mansion house is situated.

c. Equalization.—The board of revision equalizes the valuation of property in the county, and they may raise the whole of the valuation.

An appeal lies to the commissioners of the county by the taxpayer from the sum for which he stands rated and the rate per cent of such amount. Freeholders may appeal from the commissioners to the court of common pleas for the district where the property is situated. The county commissioners supervise the triennial assessment and may raise or reduce valuations only in such year.

2. *Rate*—

The county commissioners apportion taxes among the wards, townships, and districts according to the valuation of taxable property and other subjects of taxation. The tax is not to exceed 1 cent on every dollar of valuation.

The rate for any office or post of profit, profession, trade, or occupation, or on any single freeman who follows no occupation, is to be lowered in due proportion as the tax on property is lower than 1 cent on the dollar.

3. *Collection*—

State, county, borough, and township taxes are collected by the local tax collectors of the boroughs and townships, who are compensated by commissions. In townships of the first class the tax collections are made by the township treasurer.

On receipt of the tax duplicate the collector gives notice, and all persons who make payment within 60 days are entitled to a reduction of 5 per cent. Warrants for collection are in effect two years. Collectors have power to levy by distress and sale of chattels, and if necessary to confine the delinquent in jail. Lands may be sold for county and township taxes two years due. Taxes on unseated lands are to be paid within a year. All taxes, county, township, poor, school, or municipal (except in cities of the first and second classes) are a lien on real estate from the date of levy for three years, and, if recorded, for five years.

Refund of state tax on personalty.—Three-fourths of the state tax on personalty is refunded to the counties where collected.

B AND C. POLL AND INHERITANCE TAXES.

There are no county poll or inheritance taxes.

D. CORPORATION TAXES.

Bonuses received by the state from foreign railway corporations are to be paid to the counties in which the lines are located in proportion to the assessed valuation of real estate in the counties. (By virtue of the payment of the bonus, the railroad is relieved from local taxation on its property.)

E. BUSINESS TAXES, LICENSES, AND FEES.

An annual dog tax to be fixed by the county commissioners, not to exceed the following rates per annum: Male dog, $2; female dog, $4; spayed female dog, $2. Detectives, annual license, $25.

Counties receive $100 from municipal license on retail liquor dealers and one-fifth of each township or borough license.

In counties of less than 150,000 inhabitants the prothonotaries or clerks of the several courts, the register of wills, and recorder of deeds, from fees received, are required to pay to the country treasurer for the use of the respective counties, after deducting for all necessary clerk hire and office expenses, 50 per cent on the amount of any excess over $2,000 annually.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

a. The property included and exempt.—In the various municipal divisions the property included and exempt is, in the main, the same as for county taxation.

The cities of Philadelphia and Pittsburgh have special systems for local taxation on the property subject to county and municipal taxes. In addition, by city ordinances, the offices, depots, car houses, and other real property, except the superstructure of the roads and water stations, of railroad corporations situated in these cities are subject to taxation for municipal purposes. Pittsburgh also is authorized to tax the property subject to taxation for state purposes.

b. Assessment.—In townships and boroughs the assessment is the same as that for county purposes. In cities of the first class (those with a population of 1,000,000 or over) the assessment is made annually by the assessors of the districts into which counties of 1,250,000 population are divided. In cities of the second class (those with a population of from 100,000 to 1,000,000) the assessment is made by the city board of assessors, who take as a basis the last preceding assessment and revise, equalize, and alter it.

By enactment of 1911, all real estate in cities of the second class is taxable at a uniform rate without any discrimination of any kind or classification as heretofore. The assessment is made triennially, but the assessors have power to make a new assessment in any wards they deem necessary in any year subsequent to the triennial assessment. Machinery of all kinds is exempt, but traction engines are taxable.

In cities of the second class water rates are assessed as taxes. In cities of the third class (those with a population less than 100,000) the city board of assessors makes the assessment during the year of the triennial assessment for county purposes.

c. Equalization.—In townships and boroughs the assessment is equalized by the county commissioners; in cities of the first class by the board of revision; in cities of the second class by the board of assessors; and in cities of the third class by the board of revision. From any of these an appeal lies to the county court of common pleas.

2. *Rate*—

Townships are of two classes; those having a population of at least 300 to the square mile are of the first class; all others are of the second class.

Supervisors of townships may levy an annual tax not exceeding 1 cent on the dollar for township purposes. Road supervisors in townships of the first class and township supervisors in second-class townships may levy a like tax of not more than 10 mills on the dollar for the construction and maintenance of roads and highways. A tax not to exceed 10 additional mills may be levied by order of the court of quarter sessions of the peace of that county upon petition of the board of supervisors, provided that the said road tax shall be collected in cash and no such taxes shall be payable in labor or worked out. Each township shall receive annually from the state 50 per cent of the total amount of road tax collected by such township, provided that no township shall receive in any one year more than $20 for each mile of township road in said township.

Overseers of the poor may, with approbation of any two justices of the peace of the county, also levy a tax not exceeding 1 cent on the dollar.

Every borough has the power to levy and collect a tax of not exceeding 1 cent on the dollar.

In cities the councils fix the rate of municipal taxation, but in cities of the third class the rate for general purposes is limited to 10 mills on the dollar.

3. *Collection*—

In townships and boroughs the collection is the same as for county taxes, except that a taxable is allowed to pay not less than one-fourth or more than one-half of the road tax by labor on the highways. But in townships of the second class, by an enactment of 1911, the road tax is to be collected in cash.

City collectors are vested with the same powers as the collectors of state and county taxes.

There are certain special provisions as to liens and methods of collection.

B. POLL TAXES.

In cities of the second and third classes a tax of $1 upon each resident may be levied in lieu of the former taxes on trades, professions, and occupations.

In townships upon every taxable the supervisors may levy $1, one-half at least to be paid in money and the balance in work.

C. THE INHERITANCE TAX.

There is no municipal inheritance tax.

D. CORPORATION TAXES.

One-half of the net amount received from the 2 per cent tax upon premiums of foreign fire insurance companies is to be paid to the cities, boroughs, and townships of the first class, wherein such foreign companies transact business.

E. BUSINESS TAXES, LICENSES, AND FEES.

Cities of the first and second classes are authorized to issue licenses for pawnbrokers, omnibuses, and other vehicles, including street cars; for the sale of petroleum and gunpowder; for lodging houses, vendors, and sundry other minor occupations.

Keepers of billiard tables, pool tables, etc., are required to pay a license fee of $25 for the first table and $15 for every other table, in cities of the first class.

Cities of the third class are authorized to levy and collect for general revenue purposes a license tax not exceeding $100 annually on various occupations and lines of business and amusements.

Every city is authorized to tax dogs.

Transient retail merchants selling at bankrupt sales, etc., are required to take out a license. The amount is to be fixed by the authorities of the city, borough, or township, between $25 and $200 per month, to be paid to the local school fund.

Retail liquor dealers' licenses for one year are as follows: Cities, first and second classes ($100 of this goes to county), $1,000; cities, third class, $500; other cities, $300; boroughs, $150; townships (for roads and schools, except that one-fifth goes to county), $75.

Pittsburgh may tax sales of merchandise at the rate of 5 mills on the dollar and an annual business tax of one-third of 1 mill on the dollar on the average quarterly business of commission merchants, brokers, banks, insurance agencies, express companies, and telegraph companies.

Employment agencies pay a license fee of $50 in cities of the first and second classes for use of the city, but this does not apply to agencies which procure employment for school teachers exclusively; nor to registries of any incorporated association of nurses; nor to bureaus or departments conducted by those who seek help for their own employment, where no fee is charged the applicant for employment.

Motor vehicles are required to be registered by the state highway department; the fee is $5 for vehicles of less than 20 horsepower; $10 for over 20 and less than 50 horsepower; $15 for those of 50 horsepower or over; motorcycles, $2. Manufacturers' or dealers' fees for registration, $5 for each certificate and pair of number tags. Chauffeur's license fee, $2. The revenue is used for the improvement of the roads of the commonwealth. There is no fee collected on motor fire apparatus or motor ambulances owned by municipalities nor on motor ambulances owned and used by hospitals.

Restaurants, annually, $2, and in addition 1 mill on each dollar of gross business transacted annually.

Theaters and museums—cities, first class, $500, except where the capacity of the building is less than 400, $50; cities, second class, $400; but if seating capacity is not more than 1,000 nor less than 400, $75; when less than 400, $30; cities, third class, $75; boroughs and townships, $30. Circuses and menageries held in any such cities, boroughs, and townships in buildings as aforesaid are subject to same requirements as to license as enumerated for theatrical, operatic performances, and museums payable by the owners of such buildings; but owners of circuses desiring a license for the whole state may secure same for one year upon payment of $1,000.

School Revenues.

State appropriations are distributed to school districts, one-third on the basis of the number of teachers paid, one-third according to the number of children of school age, and one-third according to the number of taxpayers.

The school directors of any district are to fix the amount of tax necessary for the district not exceeding

the amount of state and county taxes, on all objects, persons, and property taxable for state or county purposes. The tax on trades, professions, and occupations, or on single freemen, is not to be less than $1. A poll tax may be levied in lieu of the occupation tax for school purposes.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

An important act was approved May 15, 1913, having for its purpose the classification, in cities of the second class, of real estate, for the purpose of taxation, into two classes, to wit: the buildings on the land and the land exclusive of buildings, and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings. It is as follows: The city council must, in determining the rate, assess a tax on the building as follows: In 1914 and 1915, "A tax upon the building equal to ⅘ of the highest rate of tax required for said years." This rate is to be decreased until, in 1925 and in each succeeding year the rate will be equal to ⅘ of the highest rate of tax required to be assessed. In other words, after that date the land will bear two-thirds of the taxation and the buildings one-third.

It was provided also that certain classes of personal property were made taxable for county purposes and in cities coextensive with counties for city and county purposes at the rate of 4 mills on the dollar, as follows: "All mortgages; all moneys owing by solvent debtors, whether by promissory note, or penal or single bill, bond or judgment; all articles of agreement and accounts bearing interest; all public loans whatsoever, except those issued by this commonwealth or the United States, and those made taxable for state purposes; all loans issued by any corporation, association, company, or limited partnership, created or formed under the laws of this commonwealth or of the United States, or of any other state or government, including car-trust secrities and loans secured by bonds or any other form of certificate or evidence of indebtedness, whether the interest be included in the principal of the obligation or payable by the terms thereof, except such loans as are made taxable for state purposes; all shares of stock in any bank, corporation, association, company, or limited partnership, created or formed under the laws of this commonwealth or of the United States, or of any other state or government, except shares of stock in any bank, corporation, or limited partnership that may be liable to a tax on its shares or its capital stock for state purposes under the laws of this commonwealth, or relieved from the payment of tax on its shares or capital stock for state purposes by the laws of the commonwealth; all moneys loaned or invested in other states, territories, the District of Columbia, or foreign countries; all other moneyed capital in the hands of individual citizens of the state; all stages, omnibuses, hacks, cabs, and other vehicles used in transporting passengers for hire, except steam and street passenger railway cars, owned, used, or possessed within this commonwealth by any person or persons, or by any corporate body or bodies; all annuities yielding annually over two hundred dollars."

"All scrip, bonds, or certificates of indebtedness issued by any and every private corporation, incorporated or created under the laws of this commonwealth or the laws of any other state or of the United States, and doing business in this commonwealth, and all scrip, bonds, or certificates of indebtedness issued by any county, city, borough, township, school district, or incorporated district of this commonwealth" were made taxable at the same rate for state purposes.

The provisions of this act do not apply to bank notes or notes discounted or negotiated by any bank or banking institution, savings institutions, or trust company; to building and loan associations or to savings institutions having no capital stock; to fire companies, firemen's relief associations, life or fire insurance corporations having no capital stock, secret and beneficial societies, labor unions and labor union relief associations, and all beneficial organizations paying sick or death benefits, or either or both, from funds received from voluntary contributions, or assessments upon members of such associations, societies, or unions.

Companies which are liable to the tax on capital stock for state purposes are not required to pay this tax on mortgages, bonds, and other securities owned by them in their own right, but are required to pay it on such securities held by them as trustees, executors, administrators, guardians, or in any other manner.

Property taxable under this act for county or for city and county purposes is not taxable for any other local or state purpose, and property taxable for state purposes is not taxable for county, school, or other local purposes.

The duties of the board of revenue commissioners in equalizing the assessment of taxes for the use of the state among the several cities and counties were abolished by this act.

Another important law passed by the legislature of 1913 was that which placed a tax of 2½ per cent on the market value of each ton of anthracite coal produced in the state. This tax is distributed one-half to the state and one-half to the county in which the coal is produced, the latter being divided among the cities, boroughs, and townships of the county, based on population. (The question of the constitutionality of this law is now pending in the courts.)

Several changes were made in license fees, but none of great importance. A new license fee was imposed on persons or firms advertising or representing goods to be from stock of bankrupt firms of not less than $100 or more than $200 per month in cities, incorporated towns, and boroughs, and of $25 per month in townships.

RHODE ISLAND.[1]

Rhode Island depends, for its state revenue, on the general property tax, the tax on corporate excess, on participation accounts and bank shares, on the gross earnings tax on public service corporations, and on the tax on oyster ground leases. The revenues from these taxes, except that on general property, are for state use only. The state also participates in certain business taxes, licenses, fines, fees, etc. The state receives one-fourth of the revenues from liquor licenses.

There is a local poll tax of $1 in lieu of other taxes upon persons whose taxes do not amount to $1.

There is no inheritance tax.

[1] This compilation is derived mainly from the following sources:
The General Laws, Revision of 1909.
The Laws of Rhode Island from 1909 to January session, 1913.
Report of Board of Tax Commissioners, 1912.

CONSTITUTIONAL PROVISIONS.

ARTICLE I.

SEC. 2. * * * all laws should be made for the good of the whole; and the burdens of the state ought to be fairly distributed among its citizens.

ARTICLE IV.

SEC. 15. The general assembly shall, from time to time, provide for making new valuations of property for the assessment of taxes in such manner as they deem best.

AMENDMENT VII.

SEC. 2. The assessors of each town and city shall annually assess upon every person, who, if registered, would be qualified to vote, a tax of $1 or such sum as with his other taxes shall amount to $1, which tax shall be paid into the treasury of the town or city to be applied to the support of public schools therein.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Tax assessors, usually three in number, in each town, elected for different terms, one being elected annually at the town elections. They receive such compensation as the town allows.

(2) Collectors of taxes elected annually at the town meeting. They are paid a commission of 5 per cent for collecting, unless they agree with the towns for less. In cities, if no tax collector is elected, his duties are performed by the city treasurer.

(3) The state board of tax commissioners, three in number, appointed by the governor for terms of six years, the term of one member expiring every two years.

(4) General treasurer of the state elected every two years.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All real property in the state, all personal property belonging to the inhabitants thereof, and all tangible personal property located in the state belonging to nonresidents is liable to taxation unless otherwise specially provided.

(1) Real estate, for the purpose of taxation, includes all lands and buildings, buildings on leased land, the leases whereof are written and recorded; the main wheels, steam engines, dynamos, boilers, and shafts, whether upright or horizontal, drums, pulleys, and wheels attached to any real estate for operating machinery, and all steam pipes, gas and water pipes, ammonia pipes, air pipes, gas fixtures, electric fixtures, and water fixtures attached to and all kettles set and used in any manufacturing establishment when owned by the owners of the real estate to which they are attached.

(2) Personal property, for the purposes of taxation, includes all goods, chattles, debts due from solvent persons, money and effects, wherever they may be, all ships or vessels, at home or abroad, all stocks and securities, shares in any bank or banking association, in any turnpike, bridge, or other corporation, within or without the state, except such as are specially exempt.

Tangible personal property is partially defined to include the fixtures enumerated above, under Real estate, when not owned in such a manner as to bring them under the definition of real estate, also all picking, carding, spooling, drawing, spinning, and reeling frames, dressing and warping machines, looms, tools, and machines of all sorts propelled by steam, water, electric, or other power in any factory, machine shop, print works, manufacturing or other establishment of any kind; and all live stock and farming tools on farms; all fixtures, tools, machinery, stock in livery stables, live stock, farming tools, goods, wares, merchandise, and other stock in trade, including stock in the business of manufacturing or of the mechanic arts, and all other tangible personal property situated or being in any town, in or upon any store, mill, dockyard, piling ground, place for the sale of property, shop, office, mine, quarry, farm, place of storage, manufactory, warehouse, or dwelling house. The purpose of this definition is to define the situs of such property, which is to be in the town or city in which such tangible personal property is located.

(3) Exemptions are: Property belonging to the state and to the United States (town and city property is not altogether exempt and, as a matter of fact, has been included in state, but not in local, valuations); buildings for free public schools and buildings for religious worship and the land on which they stand, not exceeding 1 acre, as far as used for religious or educational purposes; buildings and the land on which they stand, not exceeding 1 acre, and personal estate of any corporation used in educational purposes not for profit; estates and persons of the president and professors of Brown University and their families to an amount not exceeding $10,000 for each officer; lands used exclusively for burial purposes; property, real and personal, of incorporated library societies and free public libraries; property held for the support of the poor, for hospitals, or for public education; almshouses with lands, except that almshouses belonging to towns are subject to taxation by school districts in which they are situated; bonds and other securities issued and exempted from taxation by the government of the United States, or of this state; estates of persons who, in the judgment of the assessors, are unable to pay; the household furniture and family stores of a housekeeper in the whole, including beds and bedding, not exceeding in value the sum of $300; the bibles, school books, and other books in use in the family, not exceeding in value the sum of $300; land, not more than 300 acres to one person and worth not more than $25 an acre, planted to certain kinds of trees and managed under a forest working plan approved by the state commissioner of forestry for 15 years from the time of planting or necessary replanting; manufacturing property by vote of the towns for 10 years.

Residents of this state shall not be taxed in this state for shares held by them in national banking associations located without this state, the shares of which are taxed in the states where such national banking associations are located.

The property of any honorably discharged Union soldier or sailor of the War of the Rebellion, or of the widow (remaining unmarried) of such soldier or sailor, to be exempt from taxation to the amount of $1,000, unless said soldier or sailor or widow thereof shall voluntarily make waiver of said exemption at time of assessment, or shall be possessed of property of the value of $5,000. The property of the wife of any such soldier or sailor is likewise exempted from taxation in like

amount and in same manner; real estate used exclusively for military purposes, owned by chartered or incorporated organizations approved by the adjutant general, composed of members of the national guard, naval militia, or independent chartered military organizations; buildings and personal estate of any incorporated public charity institution; property specially exempt by charter unless exemption waived in whole or in part; the real estate and personal property of any incorporated volunteer fire engine company in actual service.

b. Assessment.—The state board of tax commissioners has general charge and control over the taxation of the corporate excess of manufacturing, mercantile, and miscellaneous corporations; over the taxation of public service corporations; and over the tax on the lessees of oyster grounds. These several taxes are paid directly into the state treasury. The board is also charged with conferring with and advising local assessors so as to produce uniformity in assessment throughout the state. The board prepares uniform assessment blanks for the cities and towns, and the local officials are required to make from the records such annual reports to the board as it may require.

In general, all real and tangible personal property is assessed by the town or the city assessors in the towns or cities in which it is located and all other personal property in the town in which the owner resides.

Intangible personal property under the immediate control of a guardian takes its situs at the residence of the ward; that under the control of executors, administrators, or trustees at the residence of the person to whom the income is to be paid. But if such ward or other person live outside the state, then such property takes its situs at the residence of the guardian, executors, administrators, or trustees.

Intangible personal property of a copartnership is taxed to the copartnership in the town in which it carries on its business. If the partners have places of business in two or more towns, the intangible property is equitably apportioned between the several towns in proportion to the tangible personal property in each town in which said business is carried on, any deduction for debts due from the partnership being made in each town in the ratio of the tax in such town.

No shareholder is liable to taxation on shares held in any corporation within or without the state, or in any banking association, when the corporation in its corporate capacity is taxed for an amount equal to the value of its property and equal to the market value of its shares; in case such corporation or association is taxed less than said amount, such shareholder is taxed only for the difference between the market value of each share held and the proportionate amount per share at which the corporation was last taxed.

Actual indebtedness may be deducted from personal property liable to taxation.

Residents are not assessed on property taxed in another state.

The time of assessment is fixed by each of the 38 towns and cities independently, so that, unless by chance, the date would not be the same in any two jurisdictions.

All property liable to taxation is to be assessed at its full and fair cash value by the assessors. Every person, corporation, or association is required to deliver to the assessor a sworn list of the property owned or under his control, specifying the value, which value is not, however, binding upon the assessor. Whoever neglects to bring in a sworn list has no remedy if overassessed.

All property is required to be listed in separate columns by the assessors, as land, buildings, and other improvements, tangible personal property, and intangible personal property, and distinguishing those who give in an account from those who do not, and the tax is apportioned accordingly.

Real estate liable to taxation and which has been omitted from assessment or erroneously or illegally assessed in any year may be reassessed during any of the following six years to the person or persons who were the owner or owners or trustee or trustees at the time of such omission or erroneous or illegal assessment.

The shares of all state banks or trust companies, other than savings banks and of national banks, are assessed to the owners by the board of tax commissioners, but the tax thereon is paid by the bank as agent of the shareholders. The bank thereupon has a lien on the shares. The statutes provide that the assessment of the bank and trust company shares is to be made by April 1 of each year.

Oysters in beds leased from the state are declared by statute to be the personal property of the lessee and are assessed by the state board of commissioners at the rental value.

c. Equalization.—There is no provision for equalization, strictly so called, but any person aggrieved by assessment may petition the supreme court for relief. This petition, however, does not stay proceedings for collecting the taxes.

2. *Rate*—

There is a fixed rate of 9 cents on each $100 of the ratable property of the several towns and cities, which is to be assessed annually, collected, and paid by them to the state treasurer.

Money on hand, money at interest or on deposit, other than that which is taxable to a bank, savings bank, or trust company, and the fair cash value of debts, whether or not secured by mortgage or pledge, due to the person, copartnership, or corporation to be taxed (all of the foregoing are included to such an amount as the value of such money and such debts shall exceed the amount such person, copartnership, or corporation is indebted to others, including in such indebtedness to others any debts secured by a mortgage or pledge given by such person, copartnership, or corporation); government, state, and municipal bonds, and securities, not exempt from taxation by the laws of the United States or of this state; the stocks, bonds, and securities of all corporations carrying on business for profit in the state which are not specifically exempted from taxation by the laws of the state; the stocks, bonds, and securities of all corporations which do not carry on business for profit in the state; the shares of all state banks or trust companies (other than savings banks), and of national banks; and all other intangible personal property shall be taxed at the uniform rate of 40 cents for each $100 of assessed valuation.

To meet the interest and sinking fund requirements of the metropolitan park commission, a committee is appointed to equitably arrive at the proportion due from each city and town included in the operation of the park commission. The state treasurer, using such proportion, estimates the respective amounts due and includes said amounts in the sum charged against such cities and towns for state taxes. The maximum rate which can be levied against any city or town for said purpose must not exceed one-half mill on each dollar of assessed valuation.

Upon the rental value of oyster beds the tax rate is 10 per cent. The higher rate is to compensate for the lower valuation. The purpose of the rental value assessment and higher rate is evidently to simplify the process of assessment of this class of property.

3. *Collection*—

In general, all taxes, state and local, upon property are collected by the town and city collectors. The taxes for the state are to be paid by the several towns, one-half before June 15 and one-half before December 15. The general treasurer issues his warrant for the collection of state taxes to the town collectors. The towns and their officers are liable to the state for the tax. Execution may be levied on the property of the towns or inhabitants thereof.

Taxes assessed on either personal or real estate are a lien on the real estate in the town. The collector may distrain property.

Taxes on bank and trust company shares and on the rental value of oyster beds are collected directly by the state treasurer, and the proceeds are entirely state revenues. Taxes on the shares of national banks, however, are collected by the state treasurer merely as agent for and by him apportioned to the town or city in which the national bank is located.

Payment of the tax on bank and trust company shares is due July 1 and delinquent after July 15 of each year.

B AND C. POLL AND INHERITANCE TAXES.

There are no state poll or inheritance taxes.

D. CORPORATION TAXES.

In general, corporations are taxed under the general property tax.

Every corporation and joint-stock company or association carrying on business for profit (except trust companies and banks generally; express corporations carrying on business on steamboats, steam or electric railroads, or street railways; steam or ferry boat common carriers; steam or street railway corporations and those operating dining, sleeping, chair, or parlor cars; public service telegraph, cable, or telephone, or gas, water, light, heat, and power companies) in addition to taxes on real estate and tangible personal property, pays an annual tax of 40 cents upon the value of its corporate excess. Shares of stock, bonds, or other evidences of indebtedness of such corporations are not taxable to the holders.

"Corporate excess," as ascertained by the board of tax commissioners, is the amount obtained by taking the average value of the capital stock during the preceding calendar year, adding thereto the amount of bonds and other indebtedness incurred by the acquisition of real estate or of tangible personal property and adding also any other indebtedness returned by the corporation as a measure of value, and from the total of these items deducting the value of exempt property and the value of property locally taxed.

In the case of Rhode Island corporations conducting business both within and without the state the corporate excess is determined in the same manner as above, except that the deduction of locally taxed property and exempt property is then made from only a representative part of the aggregate value of the property of the corporation. This part is ascertained by applying the same percentage to the aggregate value of the property as the value of real and tangible personal property located within or gross receipts from within the state bears to the total value of real and tangible personal property (without deduction for debt thereon) or to the total gross receipts. Where most of the profits come from real estate and tangible personal property the percentage is determined by the value method; where mostly from intangible personal property, by the gross receipts method; and where neither of these methods is equitably applicable then such percentage as is applicable is to be determined by the board.

Insurance companies and surety companies which pay the gross earnings tax hereinafter mentioned are exempted from the corporate excess tax.

Any corporation aggrieved by the tax assessed against it as finally fixed by the commission may seek relief by petition to the superior court of Providence and Bristol Counties.

Telegraph and telephone companies are taxed 2 per cent, express companies 3 per cent, and steamboat, ferry, steam or electric railroads, street railways, dining, sleeping, and parlor cars, gas, water, and electric lighting, heating, and power companies 1 per cent on their gross earnings derived from business transacted within the state. The 1 per cent tax is in lieu of all other taxation upon the intangible personal property or corporate excess of every such corporation the property of which is operated in the state by any such corporation liable to such gross earnings tax. The 2 or 3 per cent taxes are in lieu of all other taxes upon the "lines, cables, conduits, ducts, pipes, machines and machinery, equipment, and other personal property or estate" used exclusively in the business of such corporation within the state. The state board of tax commissioners assesses the gross earnings tax.

The tax is to be paid to the state treasurer on or before July 15, and, if not then paid, shall bear interest at the rate of 8 per cent per annum from the 1st day of July until paid if such payment is made before the commencement of legal proceedings for the recovery of the tax, and at the rate of 10 per cent per annum if made after the commencement of such proceedings. The tax is a lien on real estate of the corporations. Shares of stock, bonds, or other evidences of indebtedness of companies subject to the gross earnings tax are not taxable to the holders.

Savings banks, on or before August 1, pay to the state 40 cents on each $100 of deposits and on each $100 of reserved profits.

Trust companies incorporated in Rhode Island pay a similar tax on deposits in "participating" accounts.

Insurance companies of the state, except mutual insurance companies, pay 2 per cent of the gross premiums and assessments received during the year on property insured in the state or on property in other states where such premiums are not taxed, and domestic mutual insurance companies pay a tax of 1 per cent on gross premiums received and assessments collected during the year.

Foreign insurance companies' agents, other than mutual, and those of foreign surety companies are required to pay a tax of 2 per cent on the amount of premiums and assessments received in the state, and foreign mutual insurance companies and agents pay a tax of 1 per cent on gross premiums received and assessments collected during the year.

Fire insurance companies are allowed to deduct from premiums and assessments received so much thereof as may have been returned to policyholders during the year upon cancellations provided the standard form of fire policy shall have been used.

Foreign building and loan associations pay one-fourth of 1 per cent on capital actually paid in during the preceding calendar year from residents, with certain deductions for loans, etc.

E. BUSINESS TAXES, LICENSES, AND FEES.

The state receives one-fourth of the liquor licenses collected by the towns and cities; one-half of the proceeds of town and city licenses on shows, exhibitions, bowling alleys, billiard tables and shooting galleries; and seven-eighths of the duties on auction sales, which are one-tenth of 1 per cent of the property sold.

Hawkers and peddlers: Annual—jewelry, state, $200, Providence County, $100, other counties, $50; other merchandise, state, $60, Providence County, $30, other counties, $15; certain patented articles, state, $50, with no county license. Hawkers and peddlers of "other merchandise" may take out quarterly licenses for state and Providence County. Itinerant vendors, after making a special deposit of $1,000 with general treasurer, pay a quarterly state license of $200 and a further local license of $100 in each town or city with a population of less than 15,000, and $350 in those with a population of over 15,000. The special deposit is returned 60 days after the expiration and return or surrender of the license, provided there are no unsatisfied claims against license at such time.

Automobile and motorcycle operators, per annum, $1.

Hunting licenses—residents of state, and nonresidents of state who are United States citizens and own real estate in state assessed at not less than $500, or who belong to Rhode Island shooting or fishing clubs incorporated prior to January 1, 1909, which own real estate in the state assessed at not less than $1,000, $1; other United States citizens, nonresidents of the state, $10; unnaturalized foreign-born nonresidents of the state, $15. These license fees are paid by the city and town clerks to the state treasurer and thence appropriated to the use of the commissioners of birds for the preservation and propagation of birds and game.

Incorporation fees, certificates, general, $1; special tax, $100; corporations other than for business, $5; also one-tenth of 1 per cent on capital stock above $100,000; increase capital stock, one-tenth of 1 per cent; civil commission, $2; examination of foreign building and loan associations by insurance commissioner, $50 to $100, according to value of net assets; practice of medicine, examination, $10; certificate, $2; pharmacists, examination, $10; dentists, examination, $20; certificate, $2, peddler's license, $1; foreign insurance and surety companies—filing copy of charter, $30; filing annual statement, $20; agent's certificate, annual, $2. Analysis fee to be paid by all manufacturers, agents, or sellers of any brand of commercial fertilizer used in the state, $8 for each ingredient said to be contained in any brand of such fertilizer; insurance brokers, certificate, $10; to catch and take lobsters from state waters, $5.

For certificate of registration of automobiles, $5 to $25, according to horsepower; of motorcycles, $1; of automobile trucks, $2; certificates issued to motor vehicle manufacturers or dealers, $50.

Optometrists, examination, $10; certificate, $10; annual renewal, $2; certificate of exemption from registration, $5.

Veterinary, examination, $10; certificate, $5; annual renewal, $1.

Public accountant, examination and certificate, $25.

Embalmers, examination, $5; certificate, $5; renewal, $3.

Amounts received from the above go to pay the expenses of the respective boards, any balance being covered into the state treasury; in no event may the expenses of the boards conducting these examinations, etc., be a charge against the state.

F. THE INCOME TAX.

There is no income tax in Rhode Island.

County Revenues.

The counties are merely judicial districts and have no independent treasury or revenues.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the assessment and equalization thereof are in general the same as have already been described under State revenues.

2. *Rate*—

Those electors of any town who pay a tax on at least $134 worth of property may, by vote, levy a tax for the purposes authorized by law on the ratable property of the town, either of a certain sum or at a certain percentage on the valuation, and may order the time when the tax is to be assessed and when paid.

No town shall assess its ratable property in any one year in excess of 1½ per cent of its ratable value except for the purpose of paying the indebtedness of such town or the interest thereon, or for appropriations to any of the sinking funds, or for extraordinary repairs for damages caused by the elements; but assessments for specific benefits conferred by the opening or improving of any public highway, or any public sewer, shall not be taken to be within this limitation.

Whenever a town for the maintenance and repair of its highways and bridges, makes an annual tax levy at a rate of 20 cents or more, and the town electors direct that the money be expended under the care and direction of the state board of public roads, a sum of money equal in amount to one-fifth of the money appropriated by the town is appropriated out of any money in the state treasury not otherwise appropriated—to be used by the said state board for the repair, care, and maintenance of public highways, causeways, and bridges in the said town.

3. *Collection*—

Collection is made by the town collectors upon warrants of the town treasurer, or when the town treasurer is elected collector of taxes such warrant shall be issued by the town clerk.

All taxes assessed against any person, copartnership, or corporation in any town for either personal property or real estate shall constitute a lien on his, their, or its real estate therein.

B. POLL TAXES.

Every person who, if registered, would be qualified to vote is to be assessed at the annual assessment of town or city taxes, a tax of $1, or so much thereof as, with his other taxes, shall amount to $1. In case of nonpayment the delinquent may be committed to jail, there to remain until he pays the tax and all legal costs, or discharged therefrom in due course of law. The proceeds of the poll tax are applied to the support of the public schools.

The poll tax may be remitted upon application to the town council or city board of assessors, in the cases of persons performing military duty during the year; marines, for any year while at sea; of Civil or Spanish War soldiers, sailors, or marines; and of persons who, by reason of extreme poverty, are unable to pay the tax.

D. CORPORATION TAXES.

Public service corporations given a franchise by a municipality are required by state law, in return for the privilege bestowed by such franchise, to pay such portion of their gross earnings not to exceed 3 per cent as may be agreed upon by the terms of the franchise grant.

E. BUSINESS TAXES, LICENSES, AND FEES.

Town councils may license, at discretion, public shows, bowling alleys, and billiard tables, shooting galleries, exhibitions, and intelligence offices. One-half of the proceeds go to the state.

Three-fourths of the amount of money received from liquor licenses goes to the town or city and one-fourth to the state. The rates are: To manufacture or sell liquor at wholesale and retail, not to be drunk on premises, not less than $700 nor more than $1,500; to sell liquor at retail only, according to size of town, $300 to $1,000; for druggists to sell liquors for medicinal purposes only, $25.

Pawnbrokers, $50; private detective, $10; auctions, one-tenth of 1 per cent duty on all property sold, seven-eighths of the proceeds of which goes to the state. Itinerant vendor, local fee, $5. Cinematograph operators, $1.

Owners of ships engaged in foreign commerce pay to the treasurer of the town in which the ships are registered, for the use of the town, and in lieu of all other taxation, 1 per cent of the net earnings of such ships.

Dogs, male, $1.15; female, $5.15; funds to be used, first, to pay damages, and the balance to be applied to school fund.

School Revenues.

Less than 1 per cent of the school revenues in Rhode Island are derived from the permanent school fund.

The constitution provides that the money which is appropriated for the establishment of a permanent fund shall be invested as a perpetual fund for that purpose. The laws provide that the duties imposed on auctioneers, which are paid to the state, shall be added to the school fund. The income of the fund is to be annually appropriated for the support of public schools in the towns.

The sum of $120,000 is appropriated annually by the state for the support of the schools in the several towns, and apportioned according to the number of schools and children; but towns, as a condition, must raise by tax an equal sum. The state also makes additional small appropriations for graded and high schools, evening schools, school apparatus, and school supervision, and maintains the normal school and the Rhode Island Institute for the Deaf.

The state pays annually $100, independently of all other subventions, to the town for each graded school therein with which an ungraded school has been consolidated.

Towns may divide themselves by vote into school districts. Every such district may raise money by tax on the ratable property of the district, the amount to be approved by the school committee of the town. District taxes are levied on the town assessment and collected the same as town taxes.

All court fines accruing under the compulsory education law inure to the benefit and support of the public schools in the city or town in which the offense was committed.

SOUTH CAROLINA.[1]

South Carolina draws its state, county, and municipal revenues mainly from the general property tax. There is a graduated income tax, a special license tax on insurance companies, and an annual license tax on all corporations, and certain other special business taxes and licenses. The state dispensary system yields a large revenue, which, with the poll taxes, goes to the schools. The state receives revenue from fines assessed for violation of rules and regulations of state crop pest commission.

[1] This compilation is derived mainly from the following sources:
Code of Laws of South Carolina, 1902, Vol. I. The Civil Code: The State Company, Columbia, S. C., 1902.
Acts of the General Assembly, 1902 to 1913.

CONSTITUTIONAL PROVISIONS.

ARTICLE X.

SEC. 1. The general assembly shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe regulations to secure a just valuation for taxation

of all property, real, personal, and possessory, except mines and mining claims, the product of which alone shall be taxed; and also excepting such property as may be exempted by law for municipal, educational, literary, scientific, religious, or charitable purposes: *Provided, however*, That the general assembly may impose a capitation tax upon such domestic animals as from their nature and habits are destructive of other property: *And provided further*, That the general assembly may provide for a graduated tax on incomes and for a graduated license on occupations and business.

SEC. 2. The general assembly shall provide for an annual tax sufficient to defray the estimated expenses of the state for each year, and whenever it shall happen that the ordinary expenses of the state for any year shall exceed the income of the state for such year the general assembly shall provide for levying a tax for the ensuing year sufficient, with other sources of income, to pay the deficiency of the preceding year, together with the estimated expenses of the ensuing year.

SEC. 3. No tax shall be levied except in pursuance of a law which shall distinctly state the object of the same; to which object the tax shall be applied.

SEC. 4. There shall be exempted from taxation all county, township, and municipal property used exclusively for public purposes and not for revenue, and the property of all schools, colleges, and institutions of learning; all charitable institutions in the nature of asylums for the infirm, deaf and dumb, blind, idiotic, and indigent persons, except where the profits of such institutions are applied to private uses; all public libraries, churches, parsonages, and burying grounds; but property of associations and societies, although connected with charitable objects, shall not be exempted from state, county, or municipal taxation: *Provided*, That as to real estate this exemption shall not extend beyond the buildings and premises actually occupied by such schools, colleges, institutions of learning, asylums, libraries, churches, parsonages, and burial grounds, although connected with charitable objects.

SEC. 5. The corporate authorities of counties, townships, school districts, cities, towns, and villages may be vested with power to assess and collect taxes for corporate purposes; such taxes to be uniform in respect to persons and property within the jurisdiction of the body imposing the same. All shares of shareholders in any bank or banking association located in this state, whether now or hereafter incorporated, or organized under the laws of this state or of the United States, shall be listed at their true value in money and taxed for municipal purposes in the city, ward, town, or incorporated village where such bank is located, and not elsewhere: *Provided*, That the words "true value in money" as used in this section shall be so construed as to mean and include all surplus or extra moneys, capital, and every species of personal property of value owned or in possession of any such bank: *Provided*, That a like rule of taxation shall apply to the stockholders of all corporations other than banking institutions. And the general assembly shall require that all the property, except that herein permitted to be exempted within the limits of municipal corporations, shall be taxed for corporate purposes and for the payment of debts contracted under authority of law. * * *

SEC. 6. * * * The general assembly shall not have power to authorize any county or township to levy a tax or issue bonds for any purpose except for educational purposes, to build and repair public roads, buildings, and bridges, to maintain and support prisoners, pay jurors, county officers, and for litigation, quarantine, and court expenses, and for ordinary county purposes, to support paupers, and pay past indebtedness.

SEC. 12. The fiscal year shall commence on the 1st day of January in each year.

SEC. 13. The general assembly shall provide for the assessment of all property for taxation; and state, county, township, school, municipal, and all other taxes shall be levied on the same assessment, which shall be that made for state taxes; and the taxes for the subdivisions of the state shall be levied and collected by the respective fiscal authorities thereof.

ARTICLE XI.

SEC. 6. The existing county boards of commissioners of the several counties, or such officers as may be vested with similar duties, shall levy an annual tax of 3 mills on the dollar upon all taxable property in their respective counties, which tax shall be collected at the same time and by the same officer as the other taxes for the same year, and shall be apportioned among the school districts of the county according to the number of pupils enrolled. * * * There shall be assessed on all taxable polls in the state between the ages of 21 and 60 years (excepting Confederate soldiers above the age of 50 years) an annual tax of $1 on each poll, the proceeds of which tax shall be expended for school purposes in the several school districts in which it is collected. Whenever during the three next ensuing fiscal years the tax levied by the said county boards of commissioners or similar officers and the poll tax shall not yield an amount equal to $3 per capita of the number of children enrolled in the public schools of each county for the scholastic year ending the 31st day of October, in the year 1895, as it appears in the report of the state superintendent of education for said scholastic year, the comptroller general shall, for the aforesaid three next ensuing fiscal years, on the first day of each of said years, levy such an annual tax on the taxable property of the state as he may determine to be necessary to make up such deficiency, to be collected as other state taxes, and apportion the same among the counties of the state in proportion to the respective deficiencies therein, and apportioned among the school districts; and from and after the 31st day of December, in the year 1898, the general assembly shall cause to be levied annually on all the taxable property of the state such a tax, in addition to the tax levied by the said county boards of commissioners or similar officers, and poll tax above provided, as may be necessary to keep the schools open throughout the state for such time as the general assembly prescribes; and such tax is to be apportioned among the counties. Any school district may, by authority of the general assembly, levy an additional tax for the support of its schools.

SEC. 12. All the net income to be derived by the state from the sale or license for sale of spirituous, malt, vinous, and intoxicating liquors and beverages, not including what is allowed to go to the counties and municipal corporations of the state, shall be applied annually in aid of the supplementary taxes for public school purposes: *Provided*, That the supplementary taxes are only to be levied when the net income aforesaid is not sufficient to meet and equalize deficiencies in the school funds.

ARTICLE VIII.

SEC. 6. The corporate authorities of cities and towns in this state shall be vested with power to assess and collect taxes for corporate purposes, said taxes to be uniform in respect to persons and property within the jurisdiction of the body composing the same; and all property, except such as is exempt by law, within the limits of cities and towns shall be taxed for the payment of debts contracted under authority of law. License or privilege taxes imposed shall be graduated so as to secure a just imposition of such tax upon the classes subject thereto.

SEC. 8. Cities and towns may exempt from taxation, by general or special ordinance, except for school purposes, manufactories established within their limits for five successive years from the time of the establishment of such manufactories: *Provided*, That such ordinance shall first be ratified by a majority of such qualified electors as shall vote at an election held for that purpose.

ARTICLE II.

SEC. 4 (e). Payment of all taxes, including poll tax, is prerequisite to voting.

ARTICLE III.

SEC. 29. All taxes upon property, real and personal, shall be laid upon the actual value of the property taxed, as the same shall be ascertained by an assessment made for the purpose of laying such tax.

ARTICLE I.

SEC. 6. All property subject to taxation shall be taxed in proportion to its value.

ARTICLE IX.

SEC. 3. All railroad, express, canal, and other corporations engaged in transportation for hire, and all telegraph and other corporations engaged in the business of transmitting intelligence for hire are common carriers in their respective lines of business, and are subject to liability and taxation as such.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Township boards of assessors or commissioners appointed by the governor for a term of two years, upon recommendations by the members of the general assembly from the counties. There are special provisions in many counties for appointment and compensation.

(2) Boards of assessors in cities and towns, three electors, appointed by the governor for a term of two years. There are special boards in Charleston and Columbia.

(3) County auditor, appointed by the governor for a term of two years.

(4) County treasurer, appointed by the governor for a term of two years, who acts as collector.

(5) County board of equalization, composed of the chairmen of the boards of assessors of the county.

(6) Comptroller general, elected for a term of two years.

(7) State board of assessors, composed of the treasurer, secretary of state, comptroller, and attorney general, and chairman of the board of railroad commissioners.

(8) State board of equalization, composed of members elected by the county boards of commissioners.

(9) Special board of equalization in the city of Charleston, composed of the county auditor and six citizens, to be elected by the city council at Charleston.

(10) Special board of assessors for the towns of Manning and Summerton, consisting of three resident freeholders of said towns, to be appointed annually by the town council.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All real and personal property in the state and the personal property of residents of the state which may be kept or used temporarily out of the state, with the intention of bringing the same into the state, or which has been sent out of the state for sale and not yet sold; all moneys, credits, investments in bonds, stocks, joint-stock companies, or otherwise of parties resident in the state are subject to taxation.

(1) Real property includes not only land, city, town, and village lots, but also all structures and other things thereon contained or attached thereto which pass to the vendee by the conveyance of the land or lot.

(2) Personal property, for purposes of taxation, includes all things, other than real estate, which have any pecuniary value, including moneys, credits, investments in bonds, stocks, joint-stock companies, etc. "Credits" are held to be the remainder due to a party after deducting all debts and demands against him. But no deductions are to be made for insurance premium notes to mutual insurance companies, subscriptions to capital stock of any joint-stock company, taxes assessed on charitable subscriptions, or for contingent liabilities. All property used in the operation of railroads is classed as personal property.

(3) Property exempt from state taxation, in addition to public property, is as follows: Churches, their books and furniture and parsonage; colleges, academies, and institutions of learning and their endowment; Y. M. C. A. property, not exceeding 3 acres of land; cemeteries; fire departments; all bonds and stocks of the state, and municipal, county, and school district bonds; all rents accruing from real estate which shall not become due within two months after the 1st day of January in the year in which taxes are to be assessed thereon; all of any annuity not payable on or before August 1 of the year for which taxes are to be assessed thereon; all pensions from the United States or from a state; all shares of the capital stock of any company which is required to list its capital and property for taxation in this state; all the wearing apparel of the person required to make return and his family articles for the present subsistence of the family up to $100; fair grounds of agricultural and mechanical societies.

b. Assessment.—There is but one assessment for state, county, and municipal purposes. Real estate is listed every fourth year—1906, 1910, 1914—between January 1 and February 20, except a certain portion of Florence County, where returns are to be made between March 1 and March 15. In towns of over 50,000 population returns may be made between January 1 and February 20 in any intermediate year upon order of the special board of equalization of such cities. Changes on account of sales, transfers, or improvements are entered annually. Personal property is assessed annually as of January 1, except that agricultural products in the hands of the producer on August 1 preceding are included. All property is to be valued at its true money value, which, for real estate, is the price obtained at court sales for partition and for personalty is the usual price at administrators' sales. The county auditor attends at a convenient place in each township for the purpose of assessing property. The assessment is based upon a sworn list of the items and their value furnished the auditor by the taxpayer, and failure to furnish such list or the return of a false list is punished by an increase of 50 per cent in the assessed value. The auditor has no

authority to change the values given by the owner, but may recommend changes to the board of township assessors or to municipal boards, who fix the values.

Shares of stock in state and national banks are assessed where the bank is located at their "true value in money," which is construed to mean all surplus, capital, and every kind of personal property owned by the bank. The real estate is taxed to the bank and deducted from the value of the shares. Unincorporated banks and bankers are assessed on the average monthly assets for the year.

Manufactnrers are assessed on the average valne of the capital employed in their business for the preceding year, pawnbrokers on the average value of property pawned to them during the year.

Property nsed in the operation of any railroad, turnpike, plank road, bridge, telegraph, canal, or slack-water navigation company, if the company be organized in the state, is treated as personal property.

Railroad property nsed in operation is assessed by the State board of assessors. The road is reqnired to make statements to the comptroller general and also to the county anditors. Penalty for failnre to make the statements is 50 per cent additional to actual value. The value of the right of way and track is to be apportioned pro rata to each mile of main track, and to this valne is to be added the value of the real estate, fixtures, and stationary property situated in the town, city, or village; the total valne of the rolling stock, money, and credits is to be apportioned pro rata to each mile of main track in each town, city, and village. The apportionment is made primarily by the railroad company through its returns, but the state board adjusts this apportionment.

All personal property used in connection with mines and mining claims and all other land not actually mined, connected with mines and mining claims, shall be assessed as all other personal and real property. Land actually mined shall not be assessed, but in lien thereof the gross proceeds alone of such mines and mining claims shall be assessed and taxed; snch gross proceeds to be ascertained and determined by cash market value of material mined.

Sleeping car companies, palace, drawing room, dining, and chair car companies, and telegraph, telephone, and express companies are assessed by the state board of assessors on the basis of verified statements to the comptroller general, taking into consideration the aggregate value of all the shares of capital stock at their market value and the aggregate of any mortgages, which is deemed the true cash valne of the property of the corporation. The assessed value of the real estate and structnres not specifically used in the general business, as fonnd by the local assessors, is to be deducted from the gross valne of the property as ascertained by the state board—only that proportion of the value is taken which represents property within the state. The assessment of the state board of assessors is apportioned to the counties and by the county auditors to the townships.

Domestic insurance companies are assessed on personal property and assets where the principal office is located, but agents of foreign companies are assessed on the gross receipts of the agency, together with the value of the personal estates situated at the agency, and are charged with taxes on the amonnt so returned.

Corporations are, in general, assessed as individuals. Where the property of domestic corporations is taxed in the state the shares of such corporations are not assessed.

c. Equalization.—The duty of the township and special boards of assessors in increasing and lowering the valuation of any property, real or personal, as fixed by the county auditor or returned by any person, pertains to the assessment rather than to equalization.

The county board of equalization equalizes the valuations of real and personal property fixed by the board of township assessors and the special boards of assessors. It may raise or reduce items in the list, but is not to reduce the aggregate value as returned to the county auditor. There is an appeal from this board to the comptroller general.

The state board of equalization meets every fourth year for the equalization of the assessment of real property among the several counties, towns, cities, and villages. It equalizes both the real and personal property, returns of textile industries, canals providing power for rent or hire, and cottonseed oil and fertilizer companies annually, in order to obtain uniformity of taxation upon the property of such industries.

2. *Rate*—

For the fiscal year beginning January 1, 1912, a tax of 5¾ mills was levied by the general assembly npon every dollar of the value of all taxable property of the state to meet the current expenses of government and indebtedness.

3. *Collection*—

Taxes are collected by the county treasurer, who is paid for his services by commissions out of the taxes collected. The time of payment is from the 15th day of October to the 31st day of December. The penalty for nonpayment of taxes is 1 per cent for January, 1 per cent for February, and 5 per cent after the 1st of March. Delinquent taxes are collected by distress or warrant to be executed after March 15. All personal property is liable to distress and sale, and real property on which taxes are delinquent may be seized and sold. All taxes are a lien upon the property taxed which attaches at the beginning of the fiscal year and expires in 10 years.

B. POLL TAXES.

All males between 21 and 60 years of age are subject to an annual poll tax of $1, the proceeds of which are applied to educational purposes. Those who are incapable of earning their own living are exempt.

Nonpayment of the poll tax is made a misdemeanor punishable by a fine of not more than $10 or by imprisonment at hard labor upon the public works of the county for not more than 20 days. Poll taxes are used to meet the expenses of school districts in which collected.

C. THE INHERITANCE TAX.

There is no inheritance tax in this state.

D. CORPORATION TAXES.

Corporations are not required to return their capital for taxation, nor are the shareholders taxed on their shares for state purposes, but the real and personal property of corporations is taxed like that of individuals.

(See Business taxes, licenses, and fees.)

E. BUSINESS TAXES, LICENSES, AND FEES.

Business taxes, licenses, and fees are imposed as follows:

All persons or corporations engaged in the manufacture or sale, in bulk or otherwise, of fertilizers, cottonseed meal, or commercial manures are to pay the state treasurer an inspection tax of 25 cents per ton. To trap terrapin and ship from state, $25 per annum; embalmers' license, $10.

An annual license fee of one-half of 1 mill upon each dollar of capital stock paid in is required of every domestic corporation, except as railroad, express, and other companies are differently provided for, and foreign corporations pay one-half of 1 mill upon each dollar of the value of their property used within this state in the conduct of their business. Express, railroad, street railway, navigation, waterworks, light and power, telegraph and telephone, and parlor, dining, and sleeping car companies pay a license fee of 3 mills on their gross income within the state as ascertained by the State board of assessors from their returns.

The insurance department was created by act approved February 24, 1908. The following fees are collected by the insurance commissioner and paid over to the state treasurer at least once a month: Annual license for life companies (legal reserve), $50; fire, accident, casualty, or surety, $40; exclusively marine, $15; mutnal associations doing business in more than one county, $25; doing business in only one county, $10; doing business in only one county, gross income not to exceed $500, $5; for each company not otherwise specified, $50.

Foreign insurance companies, foreign land associations, foreign building and loan associations, foreign banking associations, and all other classes of like business not incorporated in the state, except national banks and benevolent institutions organized under the grand lodge system, are required to pay an annual license fee of $100 to the insurance commissioner by the 31st of March in each year. Every foreign insurance company of any class and all like classes of business are required to pay semiannually, in addition to the annual license fee, as a graduated license fee an amount equal to 2 per cent on total premiums, less any dividend credits. If said company or association shall have invested in bona fide local securities one-fourth of the reserve on all policies issued in South Carolina, the additional fee shall be 1¾ per cent on the receipts; if investments be one-half of reserve, the fee shall be 1½ per cent; if it be three-fourths of reserve, the fee shall be 1¼ per cent; if entire reserve be so invested, the fee shall be 1 per cent. The respective counties shall receive one-half of the additional license fees collected on premiums received by each company in that county, and such sum is to be nsed for ordinary county purposes. No additional county tax or fee shall be levied on such companies, but municipalities may levy additional taxes or fees by ordinances.

Foreign mutual fire insurance company maintaining no agents, writing no business except on property of its members and doing bnsiness without profit, shall pay an annual department license fee of $25 and the additional fee now provided by law on actual cost of insurance.

Foreign fire insurance companies shall pay to the state treasurer $1 on the $100 and the same rate on the amount of all premiums written on fire within the limits of such incorporated cities. The amount collected on premiums shall be paid over to the respective cities for support of fire departments.

A fee of 3 per cent on the premium shall be paid to the insurance department by any person who desires to place insurance for himself with any company not licensed to do business in the state: *Provided*, The adjuster under the policy shall pay to the insurance commissioners a fire inspection tax of one-tenth of 1 per cent upon any loss as adjusted.

Any domestic corporation may provide sick, accident, and death benefits for its employees by paying to the insurance commissioner license fees as follows: Doing business in one county, $10; doing business in two counties, $25; doing business in more than two counties, $50.

The insurance commissioner may license any person to receive for and transmit premiums to any insurance company not authorized to do business in the state upon payment of 1 per cent upon the net premiums so collected in the state.

Bond, investment, dividend, debenture, registry, guaranty, loan, and fidelity and other such companies shall pay the following license fees to insurance commissioner: Doing business in more than two adjoining counties, $50; in not more than two adjoining counties, $25; in one county, $10.

Mntual protective associations' certificate fee, $10.

Foreign fraternal benefit associations shall pay to insurance commissioner an annual license fee of $25.

Agents soliciting for insurance companies shall pay an annual license fee of 50 cents.

Investment companies shall pay the following fees to insurance commissioner: Filing preliminary information, $2.50; semiannual statement, $2.50; agent's license, $1.

A tax of one-tenth of 1 per cent on the gross premium receipts of all fire insurance companies is levied to pay expenses of examining the causes of fires by certain state and local officers. Fire insurance companies pay an additional tax of one-half of 1 per cent of their gross premium receipts from business in the state to defray the expenses of the commissioner of insurance.

Charter issued or renewed, 1 mill on each dollar of capital stock up to $100,000; one-half mill on each dollar of capital stock from $100,000 to $1,000,000; one-fourth mill on each dollar of capital stock over $1,000,000. Recording application for amendment, $2.50; recording petition, $3; increase of stock, etc., $5; declarations of foreign corporations, $5; certificate of incorporation to religious or educational association, $3; filing charter, consolidation of railroad companies, same fee as for organization, with credit for charter fees paid; issuing charter, domestic building and loan association, $25; registering labels and seals of labor organizations, associations, etc., $1; notary public commission, $2; issuing charter, cotton holding and storage association, $25.

Fraternal beneficiary associations, permit, $25; annnal report, $25.

Physicians, examination, $10; indorsing license of other state boards without examination, $5; dentists, $15. Pharmacists, examination, not to exceed $10; in towns of 300 inhabitants or less, $5. Attorney, examination, $5; admission fee, $5.

Bank examiner fees.—Capital $100,000 or over, $50; capital $50,000 to $100,000, $40; capital $20,000 to $50,000, $30; capital less than $20,000, $20. Branch banks, if total assets do not exceed $100,000, fee $20; if total assets exceed $100,000, fee $30.

State board of medical examiners examine applicants for registered nurse npon payment of $2.

Dealers in any concentrated commercial feeding stuff pay an inspection tax of 25 cents per ton for testing samples; a fee of 25 cents is collected from seedsmen offering seed for sale.

To support a state warehouse system for storing cotton, etc., certain fees, fixed by state warehouse commission, are collected.

To support the state board of fisheries the following fees are imposed: 1 cent for each 60 ounces of canned oysters; 2 cents upon each gallon of raw shucked oysters gathered in the state;

10 cents upon each bushel of clams in the shell; 5 cents upon each terrapin; 3½ cents upon each shad.

F. THE INCOME TAX.

There is a graduated tax on incomes above $2,500, whether derived from property, rents, interests, dividends, or salaries, or from any profession, trade, employment, or vocation, or any other source whatever, as follows:

Income $2,500 to $5,000, 1 per cent; $5,000 to $7,500, 1½ per cent; $7,500 to $10,000, 2 per cent; $10,000 to $15,000, 2½ per cent; $15,000 and over, 3 per cent.

"Income" is taken to mean gross profits, and deduction is made of necessary expenses for carrying on the business or occupation. Incomes are to be listed at the time of the making of returns of personal property. Collection is the same as for other state taxes, and with like penalty for neglect to make return. For willful fraud the penalty is 100 per cent.

G. DISPENSARY PROFITS.

The liquor business is conducted by a state dispensary. Profits from sales are used for the benefit of the common schools of the state.

The liquor is sold to the county dispensers by the state dispensary at a profit not to exceed 10 per cent of the cost to the state.

With but few exceptions the county retains two-thirds of the porfits of the county dispensaries and pays one-third to the municipal corporations in which they are located.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the assessment and equalization thereof are the same for county as for state taxes.

2. *Rate—*

The rate of tax in the several counties is fixed by the general assembly.

The county commissioners are required to levy a tax of 3 mills on the dollar for the support of public schools of their respective counties.

3. *Collection—*

Collection is the same as for state taxes.

B. POLL TAXES.

Property, community, and road taxes are levied for special improvement purposes in the various counties; rate from $2 to $3, ages from 18 to 60. Rate and age vary in different counties.

D. CORPORATION TAXES.

There are no special county corporation taxes. (See State Revenues, D.)

E. BUSINESS TAXES, LICENSES, AND FEES.

Plays and shows outside the corporate limits of the towns and villages, per day, $3; circus, $100 per day; operating pool or billiard table outside corporate limits, $100 per annum; hawkers and peddlers, fee to be determined by county board of commissioners (Confederate veterans exempt); peddlers of drugs and pawnbrokers, $100 in each county; gathering oysters, clams, and catching terrapin, $10 per annum for each boat of 1 ton, and for each additional ton, $5; each person exporting clams, $25; terrapin, $200; canning oysters, $400. To traffic in sea-island cotton, $50 per annum.

Traffic in seed cotton and unpacked lint cotton, not more than $500 nor less than $1; said license to be fixed by county board of commissioners.

Emigrant agent shall pay a license fee of $2,000 per annum to county treasurer.

In addition to the foregoing licenses the counties receive one-half of the graduated license fees collected by the state from foreign insurance companies.

F. THE INCOME TAX.

Counties do not share in the income tax.

G. DISPENSARY PROFITS.

With but few exceptions the county retains two-thirds of the profits from the operation of county dispensaries.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

With the exception of shares of stock in banks and other corporations which are subject to municipal taxation, but exempt from state and county taxation, the property included and the assessment and equalization thereof are the same for municipal and school taxes as for state. The assessment is to be copied from the county auditor's books. Cities and towns may by popular vote exempt for five years from all taxes, except school taxes, manufacturing establishments established within their limits.

2. *Rate—*

The city or town council has power to impose an annual tax not exceeding 1½ per cent in cities containing over 5,000 inhabitants, and not over 1 per cent in towns containing between 1,000 and 5,000 inhabitants. In smaller towns the limit is 50 cents on $100.

3. *Collection—*

Collection is made the same as for state and county taxes, but may be made in instalments.

B. POLL TAXES.

The city council has power to require all male inhabitants of a city between 18 and 50 years of age to work upon the roads, streets, and ways of the city not exceeding four days in each year. The city council may commute this tax to a money payment not to exceed $3 per annum.

D. CORPORATION TAXES.

There are no municipal corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

City or town councils may require licenses of persons or corporations engaged in any calling, business, occupation, or profession within the limits of the city or town, except from teachers or ministers of the gospel. The license is to be graduated according to the gross income of the taxpayer or upon the amount of capital invested in the business.

Plays and shows in towns and villages, $3 per day. (The city council of Charleston may impose any sum up to $500.)

Traffic in long or sea-island cotton must be licensed by the county treasurer. The fee is $50, and is held for the repairing of roads and bridges in the township where collected.

F. THE INCOME TAX.

Municipalities do not share in the income tax.

G. DISPENSARY PROFITS.

In most cases the municipality receives from the county one-third of the profits from the operation of dispensaries.

School Revenues.

The counties are divided into school districts, which are authorized to levy and collect an annual tax for school purposes upon petition of at least one-third of the resident electors and freeholders. Except by special authority of the general assembly the rate of levy in the districts is limited to 8 mills.

Under a constitutional provision each county is required to levy for school purposes a tax of 3 mills on all the taxable property of the county. The proceeds of this levy are distributed by the county superintendent to the school districts according to the number of pupils enrolled.

The constitution further provides that a poll tax of $1 shall be levied, the proceeds from which shall be expended in the school district in which collected.

Additional revenues for the support of schools are derived from the sale of liquors under the dispensary law. The net income to the state from this source is apportioned among the counties in proportion to the needs of the counties after the application of the funds derived from the county 3-mill tax and the poll tax. A portion of the revenues of the counties from this source may also be used for schools.

High-school districts may be established and maintained by levy of tax not to exceed 2 mills.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

Except in certain counties, timber cut for sale or manufacturing purposes by the commercial mills of the state is considered as personal property for taxation purposes. This tax is distributed as follows: One-half to the public road fund, one-fourth to the public school fund, and the remainder to the general fund of the respective counties within which collected.

A state tax of 1 mill for public school purposes was levied, one-half of the proceeds to go to the county in which collected and one-half to the state school fund.

The assessment of the property of interurban railways was placed under the control of the state railroad commission.

Banks are required to pay the taxes assessed on shares in the hands of stockholders.

The terms of office of the county auditor and county treasurer in Beaufort, Charleston, and Newberry counties were increased from two to four years.

Mutual protective insurance companies pay an annual license of $10 in their home county and $1 for each additional county branch. Foreign mortgage companies pay an annual tax of $25.

SOUTH DAKOTA.[1]

South Dakota depends almost entirely upon the general property tax for state, county, and municipal revenues. An inheritance tax was adopted in 1905. Corporations are taxed under the general property tax. The poll tax is a local road tax, and most of the business taxes and licenses are left to cities and counties.

CONSTITUTIONAL PROVISIONS.

ARTICLE VI.

SEC. 17. No tax or duty shall be imposed without the consent of the people or their representatives in the legislature, and all taxation shall be equal and uniform.

ARTICLE XI.

SEC. 1. The legislature shall provide for an annual tax sufficient to defray the estimated ordinary expenses of the state for each year, not to exceed in any one year 2 mills on each dollar of the assessed valuation of all taxable property in the state, to be ascertained by the last assessment made for state and county purposes.

And whenever it shall appear that such ordinary expenses shall exceed the income of the state for such year, the legislature shall provide for levying a tax for the ensuing year, sufficient, with other sources of income, to pay the deficiency of the preceding year, together with the estimated expenses of such ensuing year. And for the purpose of paying the public debt the legislature shall provide for levying a tax annually sufficient to pay the annual interest and the principal of such debt within 10 years from the final passage of the law creating the debt: *Provided*, That the annual tax for the payment of the interest and principal of the public debt shall not exceed in any one year 2 mills on each dollar of the assessed valuation of all taxable property in the state as ascer-

[1] This compilation is derived mainly from the following sources:
The Revised Codes, 1903, State of South Dakota, compiled by Moody, Tripp, and Brown; printed pursuant to an act of the legislature of 1903: State Publishing Co., Pierre, S. Dak., 1903.
The Session Laws to 1913.

tained by the last assessment made for state and county purposes.

SEC. 2. All taxes shall be uniform on all property and shall be levied and collected for public purposes only. The value of each subject of taxation shall be so fixed in money that every person and corporation shall pay a tax in proportion to the value of his, her, or its property. Franchises and licenses to do business in the state, gross earnings and net income, shall be considered in taxing corporations; and the power to tax corporate property shall not be surrendered or suspended by any contract or grant to which the state shall be a party. The legislature shall provide by general law for the assessing and levying of taxes on all corporate property, as near as may be, by the same methods as are provided for assessing and levying of taxes on individual property.

SEC. 4. The legislature shall provide for taxing all moneys, credits, investments in bonds, stocks, joint-stock companies, or otherwise; and also for taxing the notes and bills discounted or purchased, moneys loaned and all other property, effects, or dues of every description, of all banks and of all bankers, so that all property employed in banking shall always be subject to a taxation equal to that imposed on the property of individuals.

SEC. 5. The property of the United States and of the state, county, and municipal corporations, both real and personal, shall be exempted from taxation.

SEC. 6. The legislature shall, by general law, exempt from taxation property used exclusively for agricultural and horticultural societies, for school, religious, cemetery, and charitable purposes, and personal property to any amount not exceeding in value $200 for each individual liable to taxation.

SEC. 7. All laws exempting property from taxation, other than that enumerated in sections 5 and 6 of this article, shall be void.

SEC. 8. No tax shall be levied except in pursuance of a law which shall distinctly state the object of the same, to which only the tax shall be applied.

SEC. 9. All taxes levied and collected for state purposes shall be paid into the state treasury. No indebtedness shall be incurred or money expended by the state and no warrant shall be drawn upon the state treasury except in pursuance of an appropriation.

SEC. 10. The legislature may vest the corporate authority of cities, towns, and villages with power to make local improvements by special taxation of contiguous property or otherwise. For all corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes; but such tax shall be uniform in respect to persons and property within the jurisdiction of the body levying the same.

ARTICLE XXI.

SEC. 6. The drainage of agricultural lands is hereby declared to be a public purpose and the legislature may provide therefor, and may provide for the organization of drainage districts for the drainage of land for any public use, and may vest the corporate authorities thereof, and the corporate authorities of counties, townships, and municipalities, with the power to construct levees, drains, and ditches, and to keep in repair all drains, ditches, and levees heretofore constructed under the laws of this state, by special assessments upon the property benefited, according to benefits received.

ARTICLE XXVI.

SEC. 18. Schedule and ordinance. (The usual provisions against discrimination against nonresidents in taxation of lands, taxation of lands of the United States, and providing for taxation of Indians whose land is not exempted.)

OFFICERS.

The officers most directly concerned with taxation are:

(1) Town board of equalization, composed of the board of supervisors of each township, the clerk and president of each incorporated town, and the assessor, auditor, and mayor of each city (except in cities the charters of which provide for a board of equalization).

(2) City treasurer, elected for two years.

(3) County commissioners to be elected by electors of their respective districts for four years.

(4) Township assessor, one for each civil township. The chairman of the board of supervisors, elected for two years, is ex officio assessor.

(5) County assessor, one for each county not fully organized into civil townships, his district excluding civil townships, elected for two years.

(6) City assessor, in cities of the first and second class appointed for one year by the mayor with the approval of the city council.

(7) County treasurer, elected for two years.

(8) Township treasurer, elected at annual town meeting.

(9) County board of equalization, composed of the county commissioners and the county auditor.

(10) State board of equalization, composed of the governor, auditor, secretary of state, treasurer, and commissioner of school and public lands.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All real and personal property in the state, and all personal property of persons residing therein, and the property of corporations and of all banks and banking companies, except such as is expressly exempted, is subject to taxation.

(1) Real property, for the purpose of taxation, is construed to include the land itself and all buildings, structures, and improvements, trees, fixtures, and all rights and privileges, and all mines, minerals, and quarries thereto belonging. Trees planted under the timber culture act of Congress are not to be considered as "improvement" on the land, nor are artesian wells to be considered in the assessment.

(2) Personal property is construed to include all goods, chattels, moneys, credits, and effects wheresoever they may be; all ships, boats, and vessels belonging to inhabitants of the state, whether at home or abroad, and all capital invested therein; all moneys at interest, invested within or without the state, due to the person to be taxed, and all other debts due such person; all public stocks and securities; the capital stock of all insurance companies organized under the laws of this state; all stock in corporations, except in national banks, out of the state owned by inhabitants of the state; all the shares of stock in any bank, state or national; all personal estate of moneyed corporations, whether the owners reside within or without the state; and all improvements on lands the title of which is still in the United States or in any railroad company or corporation whose property is not subject to the same modes and rule of taxation as other property; also, the income of any annuity, unless the capital of such annuity be taxed within the state. Gas and water mains, and pipes of gas and water companies; and the track, road, or bridge of street railroad, turnpike, and bridge companies are held to be personal property.

(3) Exemptions, in addition to public property, are: The grounds, buildings, and other property of agricultural and horticultural societies; all property, real and personal, of any educational institution of the state; and all property used exclusively for the support of such school or scientific institution; all property belonging to any charitable, benevolent, or religious society, or used exclusively for charitable, benevolent, or religious purposes; one lot in a cemetery, for family use; and household furniture and provisions for each individual not exceeding $25 in value.

b. Assessment.—In general, there is one assessment roll for state, county, and local taxes. Each organized civil township, each city, and the unorganized portion of each county not fully organized into civil townships, constitutes an assessor's district. All real and personal property is assessed annually, with reference to the 1st day of May. The assessor is actually to view the property when practicable and determine the true and full value in money, listing separately the land and improvements. Every person, under oath, must list his personal property, but the assessor determines the value, upon view. The penalty for refusal to make the required statements is an addition of 50 per cent on the value returned by the assessor; for failing or refusing to deliver to the assessor, when called upon, a list of taxable property, or for temporarily converting taxable property into property exempt from taxation, for the purpose of fraudulently escaping taxation thereon, the penalty is not less than $50 nor more than $5,000; and for refusal to be sworn or to answer interrogatories there is a penalty of from $10 to $500, to which may be added six months' imprisonment. The statute expressly directs that the assessor is not to adopt a lower or different standard of value, because the same is to serve as a basis of taxation, nor is he to adopt as a criterion of value the price at which the property would sell at auction or forced sale, but is to value all property at such a price as the same is fairly worth in money.

All property subject to taxation, situated in any of the unorganized counties of the state which have been attached to an organized county for judicial or other purposes, is to be listed for taxation by the assessor of such county. But taxes in unorganized counties are levied only for state and judicial purposes.

The capital stock and franchises of corporations are listed where the principal place of business is located.

Stockholders of every bank, state and national, are to be taxed on their shares in the town where the bank is located. The real estate is taxed to the bank. The basis for valuation of the shares is the amount of capital and surplus fund less the investments in real estate. The bank is liable for the taxes on the stock and is obliged to withhold so much of any dividend or dividends as may be necessary to pay any taxes levied on such stock.

All itinerant, transient, or bankrupt stock merchants or salesmen are assessed on their stock at the same rate as other merchants.

Railroads are taxed under the general property tax and are assessed on property used in the operation and maintenance of the road by the state board of equalization, taking into consideration the value of franchises, rights, and privileges granted under laws of the state. All other property owned by railroad companies is assessed locally. The assessment is made with reference to the 1st day of May, and takes into consideration the gross and net earnings per mile and other data furnished by statements of the company. There is a penalty of 25 per cent of the assessable value for failure to make the statement. The assessment is apportioned to the counties by the state board of equalization, and further to the cities, incorporated towns, and townships of the counties by the boards of county commissioners.

The railroad commissioners of the state determine the true cash value of the property of each railroad company in the state used in the operation and maintenance of their respective railways. This is done for the purpose of aiding the state board of equalization in assessing railroads.

Telegraph, telephone, express, and sleeping car companies are also assessed by the state board of equalization on the basis of statements in the manner that railroads are assessed. There are penalties for failure to make the statements and for false statement of from $500 to $5,000.

c. Equalization.—The town board of review equalizes in townships, incorporated towns, and cities between the individuals thereof and supplies omissions of property. Appeal may be made from the town board to the county board of equalization.

The county board of equalization compares the assessment of the several cities, towns, or districts of the county and places on the assessment roll all property which may have been omitted. The board is not to reduce the aggregate valuation of the county except to make the valuation in the different townships equal. But the board may raise the valuation of real property or of the various classes of personal property of the county or of any town or district to the true and full value thereof. The board may also upon application equalize between individuals. Appeal may be made from the county board to the county circuit.

The state board of equalization compares the assessment of the several counties of the state and equalizes the same so that the several counties are assessed at their proportionate value. The board is not to increase the aggregate assessed valuation of the state resulting from the equalization by the boards of county commissioners by more than $100,000,000. It is to add or deduct such a per cent from the valuation of each class of property as will fix the same at its proper proportionate value.

2. *Rate—*

The state board of equalization determines such rate of state tax to be levied for the current year as is necessary for defraying the ordinary estimated expenses of the state for such year, for paying any deficiency in the ordinary expenses of the preceding year, for payment of the annual interest, and for providing a sinking fund for the public debt of the state. The rate for ordinary state purposes is not to exceed 2 mills on the dollar in any one year, but the legislature may levy a deficiency tax.

The deficiency tax for the fiscal year ending June 30, 1912, was 2 mills, and for the fiscal year ending June 30, 1913, 2 mills.

The state board of equalization may levy a tax of 1½ mills for the purpose of establishing, maintaining, and operating a hard fiber twine and cordage plant at the state penitentiary.

3. *Collection—*

In general, the county treasurer collects all the taxes for state, county, and municipal purposes. The treasurers of organized townships or cities collect the taxes, if the counties have adopted that method by vote. No demand for taxes is necessary to fix liability therefor, but it is the duty of every person to attend at the office of the treasurer having charge of collection and to pay his taxes. Taxes are due on the 1st day of December, and if delinquent after the 1st day of March, the treasurer is to collect the taxes, to which is added 1 per cent on the first of each month as a penalty, by distress and sale. If he is justly apprehensive of the loss of any personal tax, he may enforce its collection at any time. Taxes on real property are a perpetual lien from December 1; and those on personal property are a lien thereon after the same date.

Taxes may be paid in two instalments. If any person pays one-half by the 1st day of March, the balance will not become delinquent until the 1st day of October thereafter, from which day 1 per cent a month is to be added as penalty.

Taxes on railroad and telephone companies are collected locally as other taxes, but taxes on telegraph, express, and sleeping car companies are to be paid to the state treasurer at the average rate of taxation and by him apportioned to the counties.

B. POLL TAXES.

There is no state poll tax.

C. THE INHERITANCE TAX.

All property, real, personal, and mixed, which shall pass by will or by the intestate laws of the state from any person who may die seized or possessed of the same while a resident of this state, or if decedent was not a resident of this state at the time of his death, which property or any part thereof shall be within this state, or any interest therein or income therefrom which shall be transferred by deed, grant, sale, or gift made in contemplation of the death of the grantor or intended to take effect in possession or enjoyment after such death, is subject to a tax as follows:

(1) Passing to the father, mother, husband, wife, child, brother, sister, wife or widow of the son, or husband of the daughter, or any adopted child or children, or to any person to whom the decedent for not less than 10 years prior to death stood in the acknowledged relation of a parent, or to any lineal descendant born in lawful wedlock, if above the value of $20,000 in the case of the widow of decedent or of $5,000 in the case of any of the others, 1 per cent of the clear market value.

(2) Passing to any uncle, aunt, niece, nephew, or lineal descendant of the same, if above the value of $500, 2 per cent of the clear market value.

(3) Passing to any other person or corporation, on $10,000 and less, 4 per cent; on over $10,000 and not exceeding $20,000, 6 per cent; on over $20,000 and not exceeding $50,000, 8 per cent; on all over $50,000, 10 per cent of the clear market value. Estates of the clear market value of $100 or less are exempt.

If the tax is paid within 12 months after the death of the decedent, a discount of 5 per cent shall be allowed; if not paid within 12 months, 6 per cent interest shall be added from the time of the death of the decedent until paid.

Estates in remainder shall be valued and taxed immediately, unless the party interested executes a bond three times greater than the amount of the tax. Appraisers are appointed by the county court to fix the value of the estates.

D. CORPORATION TAXES.

There are no special corporation taxes except on insurance companies, all corporations being taxed under the general property tax.

Domestic insurance companies are assessed upon their capital stock.

Every foreign fire insurance company shall pay an annual tax to state treasurer of 2½ per cent of gross amount of premiums, and all companies organized under the state laws and all foreign mutual companies shall pay to state treasurer 1 per cent of gross premiums received. The revenue so derived is turned over to the cities, etc., from which collected for the benefit of the fire department.

E. BUSINESS TAXES, LICENSES, AND FEES.

Public warehouse for grain, $1; hunter's license, to residents, $1; to nonresidents, for birds, $15; to nonresidents, for animals, $25; big game, $5 to residents ($4 to be retained by county treasurer to be expended for wolf bounties, and $1 to go to state game fund). Trapper's license, nonresident, for mink, muskrat, otter, or beaver, $10; fish, nonresident, $2. Except as noted, the revenue is divided equally between county and state game fund.

Fees and licenses: To operate electric baths, $25; each creamery or cheese factory, $1 per annum; hotels or rooming houses, for 5 rooms or less, $1; for 5 to 10 rooms, $4; 10 to 20 rooms, $6; 20 to 40 rooms, $10; 40 to 80 rooms, $15; 80 to 100 rooms, $20; over 100 rooms, $25 per annum. Tax payable to state treasurer.

Manufacturers and dealers in commercial feeding stuffs, an annual inspection fee of $15 for each brand; every dealer in any stock food to pay same fee.

Inspecting public buildings, $5; oil inspector, one-fourth of a cent per gallon, 10 cents for each 50 gallons. For support of state dairy expert department, license fee for permit to use Babcock test on milk, etc., $5.

Recording articles of incorporation of domestic corporations and issuing charter—authorized capital $25,000 or less, $10; $25,000 to $100,000, $15; $100,000 to $500,000, $20; $500,000 to $1,000,000, $30; $1,000,000 to $1,500,000, $40; $1,500,000 to $2,000,000, $50; $2,000,000 to $2,500,000, $60; $2,500,000 to $3,000,000, $70; $3,000,000 to $3,500,000, $80; $3,500,000 to $4,000,000, $90; $4,000,000 to $4,500,000, $100; $4,500,000 to $5,000,000, $110; over $5,000,000, $150; religious, charitable, benevolent, and fraternal associations, $3; filing articles of foreign corporations and issuing certificates of authority, $10; annual statement, $5; recording appointment, resident agent, $10; when agent not appointed in the articles of incorporation, $5; examination of annual statement of building and loan associations, $5; examination of statement of foreign building and loan association, $50; recording papers, per folio, 25 cents; transcripts, per folio, 25 cents; commissions, passports, etc., $3; amendments, articles of incorporation, $10; examination of statement of foreign surety companies, $10; commission by the governor, $3; filing appointment, etc., of commissioner of deeds, $10; notary public commission, $2.50; for impression of the great seal, $1.

Cooperative irrigation associations under the Carey Land Act, providing for reclamation of land, may secure articles of incorporation by paying $5 to the secretary of state. The Carey Land Act Board is to be paid a filing fee of 25 cents per acre for each acre reserved. An additional sum may be assessed, not exceeding $1 per acre, after water for irrigation has been available for four years, to cover all lands patented to the state.

Every insurance company filing declaration or certified copy of charter, $25; annual statement, $25; certificate of authority, and certified copy thereof, $2; every copy of paper, 20 cents per folio; affixing official seal to each copy, $1; certificate of authority to agents, 50 cents.

Examination of banks and trust companies: An amount equal to one one-hundredth part of 1 per cent of gross amount of the assets for each regular examination, minimum $10, maximum $50. Fee for examination preliminary to opening for business, $25, payable by public examiner to state treasurer for use of state banking department. Public examiner to be paid a fee of 10 cents for each folio of copies of records, etc., and 50 cents for each certificate.

For examining building, savings, and loan associations: First, $25,000 assets, $10; up to $50,000 assets, $15; up to $75,000 assets, $20; up to $100,000 assets, $25; and for each additional $100,000 or fraction thereof of assets, $20. Minimum fee, $10.

For teacher's certificate.—"Life diploma," except resident graduates of the schools of the state, $10; state certificate, $5; professional state certificate, $2.

The state engineer, as a member of water commission, collects certain fees under an act to regulate water rights for irrigation; also a fee of $2 to compare appropriation notice in securing water rights.

For support of a bee inspector, to prevent disease among bees, every apiarist or owner of bees shall pay a tax of 10 cents per colony of bees.

Board of examiners.—Veterinary, medicine, and surgery, license to practice, $10; fee for appeal to board of review, $30; registration fee not to exceed $2.

Registration board to license public service stallions and jacks.—Fee, $2 for examination and enrollment of pedigree and issuance of license; renewal of certificate of pedigree, $1 per annum; transfer of ownership, 50 cents.

Medical examination to conduct electric bath, $5.

Examination of dentists, $25; certificate of registration, not more than $2.

Embalmer's license, $5; renewal, $3; osteopaths, $20; physicians, $10; when licensed in another state or territory—without examination, $20. Pharmacists, registration, $5; renewal, $5.

F. THE INCOME TAX.

There is no income tax in South Dakota.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the assessment and equalization thereof are the same for county taxes as for state.

2. *Rate—*

The county commissioners levy the county taxes, basing the levy upon an itemized statement of the estimated county expenses for the ensuing year, and no greater levy is to be made than will equal the amount of such estimated expenses with an excess of 5 per cent of the same. The rates authorized for different purposes are:

(1) The board of county commissioners of any county may levy an annual tax not to exceed 1 mill on the dollar, to be paid into a fund to be known as "courthouse building fund."

(2) For general county purposes, including support of the poor, not to exceed 6 mills on the dollar.

(3) For the support of the insane, such amount as may be due the state from that county.

(4) For county roads, not to exceed 2 mills.

(5) For county bridges, not to exceed 3 mills. In a county where only part of its territory is organized into civil townships the levy shall be but 2 mills in organized townships.

(6) For county sinking fund, one year's interest and 15 per cent of the principal. The total county rate is not to exceed in any one year, unless by vote, the sum of 8 mills on the dollar.

(7) The board of county commissioners is authorized to levy a special tax to secure prompt payment of principal and interest on bonds issued for the purpose of supplying seed grain for needy farmers resident in such county.

(8) A special tax may be levied to maintain county patients at the state sanitarium.

(9) The board of county commissioners may levy a road tax in addition to that levied by the several townships, not to exceed 5 mills on the dollar. By special vote of electors this tax may be increased to a rate not to exceed 10 mills.

(10) The board of county commissioners may, in unorganized townships, levy a tax for a road fund, not to exceed 8 mills for any one year, provided such fund shall be expended in the unorganized district.

3. *Collection—*

Same as for state taxes.

B. POLL TAXES.

The township board of supervisors in organized counties is to assess on every male inhabitant above 21 and under 50 years of age, except paupers, lunatics, and those otherwise exempt, a tax of $2 per annum for road purposes. By a vote of the electors this tax may be paid in labor at a rate of 20 cents per hour per man, or 40 cents per hour for man and team.

The county commissioners may levy a tax of $1 on each elector in the county for the support of the common schools. This tax is to be distributed to the several school districts in the county in proportion to the number of children between 6 and 20 years of age resident therein.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no county inheritance or special corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

Sale of liquors at retail, $400; traveling salesman who solicits by the jug, $200, to be paid in each county; malt liquors, wholesale, $150; spirituous liquors, wholesale, $500 (to be paid in each precinct, town, or city in which the business is carried on); distilleries, $1,000; breweries, $400; peddlers, on foot or bicycle, $30; single horse, $60; two or more horses or automobile, $100; transient merchants, $200, such peddlers in city, town, or village not to exceed $25 per day in addition to above fees; traveling salesmen, $25 to $75; dog license, $1, which is credited to the school district when collected. Unless otherwise specified, all licenses are issued for one year.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the assessment and equalization thereof are the same for municipal taxation as for state.

2. *Rate—*

a. Township.—The electors at their annual town meeting may vote such sums of money for repairing and constructing bridges and for necessary town charges as will not exceed 5 mills on the dollar, and for fire guards such a sum as will not exceed 5 mills on the dollar. The township board of supervisors levies the highway labor and road tax not to exceed 50 cents on $100 of valuation. The total township rate is not to exceed in any year 10 mills on the dollar for all purposes, including the tax for interest and sinking funds for bonds.

b. City.—The city council is to levy a tax for general purposes not to exceed 10 mills on the dollar, and in addition it may levy a tax for interest and sinking fund for city bonds, and may assess property for construction of sewer systems.

The city park board may levy special assessments for park purposes.

Cities of the first class or cities under commission having a population of 10,000 or over, for management, etc., of system of waterworks, may levy assessments and collect tax therefor.

The city council or board of commissioners in cities of the first class (Sioux Falls and Aberdeen) may levy a tax not exceeding 1 mill per annum on taxable property to create a fund for the purpose of advertising the city's possibilities and advantages.

The common council of cities of the third class, board of trustees of every incorporated town and township, and board of every township in towns or townships containing over 500 inhabitants shall have power to establish and maintain a public library, for which a tax not to exceed 1½ mills may be assessed.

c. Town.—The board of trustees may levy a tax for the general fund, interest, and sinking fund, the tax for general purposes not to exceed 5 mills on the dollar.

3. *Collection—*

The collection is the same as for state taxes, by the county treasurer, unless the county has adopted the optional provision for collection by the township and city treasurers.

B. POLL TAXES.

Any city or town in the state may levy on all able-bodied male residents between 21 and 50 years of age a road poll tax of one day's labor, which may be commuted at a fixed sum, not to exceed $1.50.

C. THE INHERITANCE TAX.

There is no municipal inheritance tax.

D. CORPORATION TAXES.

The tax of 2½ per cent on the premiums received by foreign insurance companies and the tax of 1 per cent on the premiums of domestic and mutual companies is turned over to the cities by the state for the benefit of the fire department.

There is an additional tax of one-half of 1 per cent of the gross premiums received by fire insurance companies in the state to defray the expense of investigating cause, etc., of each fire.

E. BUSINESS TAXES, LICENSES, AND FEES.

Any township, precinct, town, or city within the county, in which a county liquor license is paid, may require in addition from each dealer paying such a license a sum to be fixed by ordinance, but to be not less than $200 nor more than $600.

The city council has power to license, tax, and restrict hawkers, peddlers, pawnbrokers, keepers of ordinaries, theatrical and other exhibitions, shows and amusements, ticket scalpers, employment agencies, cigars, cigarettes, and light drinks, hackmen, draymen, expressmen, etc., and public billiard rooms and bowling alleys, public dances, and skating rinks, palmists, clairvoyants, mind readers, fortune tellers, and fakers, plumbers, electricians, and electrical workers.

Towns may license auction establishments, peddlers, and public exhibitions.

School Revenues.

The constitution establishes a perpetual school fund for the use of public schools from the proceeds of the sale of public lands granted by the United States, and from certain other sources, including escheats, fines, donations, etc. This fund is to be apportioned to the several school districts in proportion to the number of school children. The proceeds of the county poll taxes and dog licenses are also apportioned for school purposes.

A district school tax is to be levied by the local board of education not exceeding 20 mills on the dollar on all personal and real property within the district, which tax is placed on the roll of the county and collected by the county treasurer, and the board may make further levy to provide a sinking fund for payment of bonded indebtedness. The electors have the power to instruct the district school board as to the levy of school taxes.

The rate of taxation in each school district having within its boundary an incorporated city shall be the same as for cities, towns, and adjacent territory organized as independent districts.

The township board of education may levy a tax not to exceed 10 mills on the dollar in the year for high-school purposes.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

The most important act of the legislature of 1913, as far as the system of taxation is concerned, was the creation of a permanent state tax commission. It was provided that this commission should consist of three members appointed by the governor for terms of six years, a vacancy to be created every two years by the expiration of the term of one commissioner.

This commission has general supervision over the administration of the assessment and tax laws of the state and all assessing officers; has authority to require statements from all kinds of business organizations which it may deem necessary for the ascertaining of the value and the relative burdens borne by all kinds of property in the state; and to order the reassessment of any or all property, franchises, and licenses in any assessment district. It also succeeds and takes the place of the state board of equalization, inheriting all its powers and duties, including the assessment of all railroads (not including street railways), telegraph, telephone, express, and sleeping car companies.

Other important changes follow:

Inheritance tax.—A tax is imposed upon the transfer of property, real, personal, or mixed, or any interest therein, or income therefrom, in trust or otherwise, to any person, association, or corporation in the following cases:

(1) When the transfer is by will or by intestate laws of this state from any person dying possessed of the property while a resident of the state.

(2) When a transfer is by will or intestate law of property within the state or within its jurisdiction and the decedent was a nonresident of the state at the time of his death.

(3) When the transfer is of property made by a resident or by a nonresident, when such nonresident's property is within this state or within its jurisdiction, by deed, grant, bargain, sale, or gift, made in contemplation of the death of the grantor, vendor, or donor, or intended to take effect in possession or enjoyment at or after such death.

(4) Such tax shall be imposed when any such person or corporation becomes beneficially entitled in possession or expectancy to any property, or the income thereof, by any such transfer, whether made before or after the passage of this act.

(5) When any person or corporation shall exercise the power of appointment derived from any disposition of property made either before or after the passage of this act, such appointment when made shall be deemed a transfer taxable under the provisions of this act in the same manner as though the property to which such appointment relates belonged absolutely to the donee of such power and had been bequeathed or devised by such donee by will.

(6) The tax imposed hereby shall be upon the clear market value.

Exemptions.—All property transferred to county, town, or municipal corporations within the state for strictly county, town, or municipal purposes, and property to the clear value of $2,500 transferred to any public hospital, academy, college, university, seminary of learning, church, or purely charitable institution, is exempt.

When the property or any beneficial interest therein passes by any such transfer, where the amount of property exceeds in value the exemptions hereinafter specified and shall not exceed in value $15,000, the tax hereby imposed shall be:

(1) Passing to the wife or lineal issue at the rate of 1 per cent of the clear market value. Property to the value of $10,000 is exempt.

(2) Passing to the husband, lineal ancestor of the decedent, or any child adopted as such in conformity with the laws of this state at least 10 years prior to such transfer, or any child to whom such decedent for not less than ten years prior to such transfer stood in the mutually acknowledged relation of a parent, provided such relationship began at or before the child's fifteenth birthday and was continuous for 10 years thereafter, or any lineal issue of such adopted or mutually acknowledged child, at the rate of 1½ per cent of the clear market value thereof. Property to the value of $3,000 to lineal ancestors and of $10,000 to other classes is exempt.

(3) Passing to a brother or sister of the decedent, or a descendant of a brother or sister of the decedent, the wife or widow of a son, or the husband of a daughter of the decedent, at the rate of 3 per cent of the clear market value. Property of the value of $1,000 passing to each of this class is exempt.

(4) Passing to the brother or sister of the father or mother or a descendant of a brother or sister of the father or mother of the decedent, at the rate of 4 per cent of the clear market value. Property of the value of $250 passing to each of this class is exempt.

(5) Passing to a person in any other degree of collateral consanguinity than is hereinbefore stated, or to a stranger in blood, or a body politic or corporate, at the rate of 5 per cent of the clear market value. Property of the value of $100 passing to each of this class is exempt.

The foregoing rates are termed the primary rates.

When the amount of the clear value of such property or interest exceeds $15,000, the rate of tax upon the excess shall be as follows:

(1) Upon all in excess of $15,000 and up to $30,000, one and one-half times the primary rates.

(2) Upon all in excess of $30,000 and up to $50,000, two times the primary rates.

(3) Upon all in excess of $50,000 and up to $100,000, two and one-half times the primary rates.

(4) Upon all in excess of $100,000, three times the primary rates.

All inheritance taxes belong to and become a part of the revenue fund of the state. On or before the 1st of November of each year 20 per cent of the amount received by the state under this law during the preceding fiscal year is returned by the state auditor to the county from which it was derived.

If the tax shall be paid in full prior to the expiration of one year from the date of the death of the decedent, interest at the rate of 6 per cent per annum shall be charged.

If such tax shall not be paid within one year from the date of the death of the decedent, interest shall be collected thereon at the rate of 7 per cent from the date of the death of the decedent.

Shares of stock of national banks are assessed to the individual stockholders at the place where the bank is located.

The bank is liable for the taxes on the stock and is required to withhold so much of any dividend or dividends as may be necessary to pay any taxes levied on such stock. Shares of stock of state banks, savings banks, and trust companies shall be assessed to such state banks, savings banks, and trust companies and not to the individual stockholders. Shares of the capital stock of national banks not located in the state need not be listed.

All lunch rooms, restaurants, rooming houses of a capacity of less than 10 rooms pay an annual license fee of $3; 10 and under 50 rooms, $6; 50 rooms and over, $12. Licenses go to state food and drug commissioner, who is, ex officio, inspector of hotels and other public buildings.

Taxes are due on the 1st day of January of each year, and become delinquent on April 1, a penalty of 1 per cent per month attaching after that date. Taxes become a lien on property from and after January 1. If one-half the taxes are paid on or before April 1, the balance does not become delinquent until November 1 following.

Every insurance company filing declaration or certified copy of charter, $25; annual statement, $25; certificate of authority, and certified copy thereof, $2; every copy of paper, 20 cents per folio; affixing official seal to each copy, $1; certificate of authority to agents, 50 cents.

Registration fee for automobiles, $6 per annum, which is reduced to $3 after five annual registration fees of $6 have been paid; fee for motor cycle, $2; transfer of ownership, $1; fee for manufacturer or dealer, $10. In the year 1913, 75 per cent of tax to county motor vehicle road fund and 25 per cent to state; in 1914 and subsequent years the respective percentages shall be 87½ and 12½ per cent.

It was agreed by the legislature in 1913 to submit the following to a vote of the people as an amendment to the state constitution to be added to Article XXI:

SEC. 7. The irrigation of agricultural lands is hereby declared to be a public purpose, and the legislature may provide therefor, and may provide for the organization of irrigation districts for the irrigation of land for any public use, and may vest the corporate authorities thereof and the corporate authorities of counties, townships, and municipalities with the power to construct, operate, and maintain irrigation dams, reservoirs, canals, flumes, ditches, and laterals, and to keep in repair all irrigation dams, reservoirs, canals, flumes, ditches, and laterals heretofore constructed, under the laws of the state, by special assessments upon the property benefited thereby, according to the benefits received.

TENNESSEE.[1]

Tennessee draws its principal revenue from the general property tax and from business taxes, licenses, and fees. The distinguishing feature of the system is a carefully worked-out system of privilege taxes upon the exercise of various occupations which supplements the general property tax. There are special corporation taxes, similar in nature to the privilege taxes on individuals, and state poll and inheritance taxes, as well as specific taxes on land transfers and on litigation.

CONSTITUTIONAL PROVISIONS.

ARTICLE II.

SEC. 28. All property, real, personal, or mixed, shall be taxed, but the legislature may except such as may be held by the state, by counties, cities, or towns, and used exclusively for public or corporation purposes, and such as may be held and used for purposes purely religious, charitable, scientific, literary, or educational, and shall except $1,000 worth of personal property in the hands of each taxpayer and the direct produce of the soil in the hands of the producer and his immediate vendee. All property shall be taxed according to its value, that value to be ascertained in such manner as the legislature shall direct, so that taxes shall be equal and uniform throughout the state. No one species of property from which a tax may be collected shall be taxed higher than any other species of property of the same value, but the legislature shall have power to tax merchants, peddlers, and privileges in such manner as they may from time to time direct. The portion of a merchant's capital used in the purchase of merchandise sold by him to nonresidents and sent beyond the state shall not be taxed at a rate higher than the ad valorem tax on property.

The legislature shall have power to levy a tax upon incomes derived from stocks and bonds that are not taxed ad valorem. All male citizens of this state over the age of 21 years, except such persons as may be exempted by law on account of age or other infirmity, shall be liable to a poll tax of not less than 50 cents nor more than $1 per annum. Nor shall any county or corporation levy a poll tax exceeding the amount levied by the state.

SEC. 29. The general assembly shall have power to authorize the several counties and incorporated towns in the state to impose taxes for county and corporation purposes, respectively, in such manner as shall be prescribed by law; and all property shall be taxed according to its value, upon the principles established in regard to state taxation. * * *

SEC. 30. No article manufactured of the produce of this state shall be taxed otherwise than to pay inspection fees.

ARTICLE IV.

SEC. 1. Every male person of the age of 21 years, being a citizen of the United States * * * may vote, if he has paid the poll taxes assessed against him.

ARTICLE XI.

SEC. 12. The state taxes, derived hereafter from polls, shall be appropriated to educational purposes, in such manner as the general assembly shall direct by law.

OFFICERS.

The officers most directly concerned with taxation are:

(1) County assessors, elected for a term of four years. Compensation is by salary, which in the smaller counties is limited not to exceed certain fee rates.

(2) County board of equalizers, composed of five freeholders, elected by the quarterly court of each county. The quarterly courts shall elect, for two years, successors to the members who have served two years, three and two alternately.

(3) State board of equalization, composed of the secretary of state, treasurer, and comptroller of the treasury.

[1] This compilation is derived mainly from the following sources:
Digest of the Tax Laws of Tennessee and Criminal Cost Laws, with Annotations, 1907. Prepared by Robert T. Shannon for Frank Dibrell, controller of the state treasury. McQuiddy Printing Co., Nashville, Tenn., 1907.
The Code of Tennessee, with the Supplements and the Session Laws to 1907.
Public Acts of Tennessee to 1913.

(4) County trustee, tax collector, elected for two years.

(5) Revenue commissioners, three in number, elected every two years by the quarterly courts, one of whom is to be an expert accountant. They are to inspect reports and examine accounts.

(6) Revenue agents, three in number, appointed by the comptroller for a term of two years. They are to examine the records of collections and disbursements and may also bring suit against delinquent officers and corporations. To indemnify the state 15 per cent, which the revenue agent retains, is to be added to the recovery in all suits.

(7) State tax assessors, commonly known as the railroad commission, three freeholders, appointed by the governor biennially.

(8) Board of equalization of railroad assessments, composed of the governor, treasurer, and secretary of state.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All property, real, personal, and mixed, is subject to taxation for state, county, and municipal purposes, except such as is declared exempt.

(1) Real property includes all minerals and timber interests and all other interests of whatever kind, whether for life or a term of years, in real estate, including the interest which the lessee may have in the improvements erected upon lands where the fee is exempt to the owner. Such interests are assessed to the owner thereof separately from other interests in such real estate.

(2) Personal property is described as including: Household goods, implements and vehicles, live stock, water craft, income from United States bonds and from other stocks and bonds not taxed ad valorem; all bonds except United States bonds; all shares of stock except when the corporate property or capital stock is assessed in lieu thereof; notes, duebills, choses in action, accounts, mortgages, or other evidences of indebtedness; money on hand, or on deposit; and all other personalty.

(3) Exemptions in addition to public property are: All property belonging to any religious, charitable, scientific, or educational institution not used in secular business; leasehold estates in hands of lessee, holding under incorporated institutions of learning, when rents therefor are used purely for educational purposes, by said institutions; all cemeteries and monuments; growing crops; the direct produce of the soil in the hands of the producer or his immediate vendee, and manufactured articles of the state in the hands of the manufacturer; personal property of the value of $1,000 in the hands of each resident taxpayer; and all property exempt by charter or by contract.

b. Assessment.—The assessment for state, county, and municipal purposes is made by the county assessors. Personal property, privileges and polls, are to be assessed annually, real estate (assessed in 1912) every two years, and both at their "actual cash value," which is defined to mean the price at which the property would sell at a fair voluntary sale. The assessment refers to January 10. The assessor is required to visit all realty, see personally each taxpayer, and take his statement of all property, real and personal, without regard to any exemption. The taxpayer must make oath to the amount of his property but not to the value, which is computed by the assessor. The penalty for refusal to make the schedule or list or to take the oath is a fine of $10 to $50, upon conviction of the misdemeanor. Suits for collection can not be brought on notes and choses in action not listed.

Changes to the extent of $200 in the value of real estate are to be noted annually by the assessor, as well as any improvements thereon.

The amount of income of United States bonds and of all other stocks and bonds not taxed ad valorem is to be assessed as personalty. All bonds, except United States bonds, and all shares of stock, except when the corporate property or capital stock is assessed in lieu thereof, are to be listed. All personal property which is a part of the capital invested in the business of a merchant, factor, or manufacturer is not to be assessed separately as personalty, but as part of the capital.

Manufacturers are assessed on the raw materials and articles in process of manufacture, but the value of articles finished from the produce of the state in the hands of the manufacturer is to be deducted in assessing property or capital stock.

Merchants are assessed on the average capital invested in the business during the year, which is found by dividing the sum of the highest and the lowest amounts of stock by two.

Of stocks of merchandise sold at auction or on commission one-third of the aggregate amount of the annual sales is to be returned for taxation.

Capital employed in trading, where there is no stock of goods on hand, forms the basis of assessment.

Property held by executors and administrators shall be assessed in the county, district, or ward in which the decedent resided at time of death until such shall have been distributed; but if deceased lived in another state, then the property shall be assessed where the personal representative resides.

Personal property held by trustees and guardians of minors, married women, and lunatics shall be assessed to each such trustee or guardian in the county, ward, or district where such dependent resides, if a resident of the state; if a nonresident, then in the county, ward, or civil district in which the guardian or trustee resides. Guardian having control thereof must render an annual statement.

Corporations are assessed on their real estate and tangible personalty as individuals. Quasi public corporations, such as gas works, waterworks, electric light, and dummy railroad companies, and all others public in their character and which possess rights, franchises, and privileges, are to be taxed on the actual cash value of the corporate property, including the franchises, easements, incorporated rights and privileges, which value is to be not less than the value of the shares of stock and bonded debt, computed at market value, less the value of realty and tangible personal property otherwise assessed. Railroads, including street and interurban electric roads, telephone and telegraph companies, building and loan, insurance, manufacturing, and banking companies are not covered by this provision. The stocks and bonds are not otherwise assessed to the corporation or individual holders.

Foreign corporations are assessed only on the actual cash value of the corporate property in the state, taking into consideration the franchise and intangible values in the state.

Bank stock is assessed in the name of the shareholders at its cash value less a proportionate share of the realty and tangible personalty taxed to the bank. This is in lieu of the tax on capital stock of banks. (Recent opinion of Supreme Court: Held corporation liable for tax on stock and not the stockholder.)

Railroad, street railroad, interurban electric road, telegraph, and telephone companies are assessed by the state tax assessors on the basis of schedule of property made out by the companies. There is a penalty of $1,000 for failure to file the schedule. In making the valuation of property the assessors are to consider the capital stock, the corporate property, the franchises of each company, and the gross receipts and market value of the shares of stock and bonded debt.

The "road" of any railroad property includes all tracks, switches, bridges, and superstructures of every kind. The "line" of any telegraph or telephone company includes all wires, poles, instruments, and rights of way.

The property distributable to the counties includes the roadbed, rolling stock, franchises, choses in action, and personal property having no actual situs. This is to be valued separately from other property and $1,000 exemption deducted. The valuation is then distributed according to the value per mile. The "localized property," including the depots and other property with an actual situs, is assessed where located, by regular county and city assessors.

Railway cars, other than passenger cars owned by nonresidents not operating lines of railways, are assessed by the state tax assessors.

Back assessment or reassessment of taxes on property that has escaped or been undervalued is made by the county court clerk in the case of merchants' taxes, or by the county trustee in the case of other taxes. A penalty of 15 per cent may be imposed for violation of the revenue provisions in the back assessment.

Mineral, timber, and other interests in real estate are assessed to the owner thereof.

c. Equalization.—The county board of equalizers compares and equalizes the county assessments, eliminates property exempt, and hears complaints. The board may increase or lower the entire assessment roll, or any item therein, to conform to the actual cash value.

The state board of equalization at its biennial sessions is to equalize the assessments of all properties in the state, except such as are to be equalized by the state board of equalization of railroad assessments.

The board may equalize by classification of properties, by wards, civil divisions, or counties.

The assessment of railroad, street railroad, interurban railroad, telegraph, and telephone companies, as made by the state tax assessors, is equalized by the state board of equalization of railroad assessments.

2. *Rate*—

Taxes are levied by statute at the rate of 50 cents on every $100 worth of property, of which 35 cents is for general state purposes and 15 cents for school purposes, which is retained in the county where collected.

3. *Collection*—

With the exception of the taxes of certain cities and the state tax assessed against railroad, telegraph, and telephone companies, all ad valorem taxes are collected by the county trustee. Taxes are payable the first Monday in October, except municipal taxes of cities having a population of 100,000 or over and of those authorized to collect their own taxes. Taxes are a lien on the property assessed from the 10th of January, and are delinquent and bear interest after the 1st of March, and in addition there is a penalty of 1 per cent a month. They may be collected by distress and sale.

Taxes on the stock of banks and loan and investment companies are to be collected from the president of the corporation.

The inheritance tax is collected by the county court clerk of each county.

If any property escapes assessment, it is the duty of the trustee to assess the same and report the taxes collected as "picked-up" taxes. The trustee can not receipt for the property tax if the poll tax is unpaid.

The trustee is compensated by commissions from the moneys collected.

B. POLL TAXES.

Every male inhabitant between the ages of 21 and 50 years, except persons who are deaf, dumb, blind, or incapable of labor and of earning a livelihood, are to pay an annual tax of $1 for school purposes. This tax is distributed among the school districts of the county where collected in proportion to the number of school children. This tax must be paid before the property tax will be received, and its payment is a prerequisite to the enjoyment of the elective franchise. Delinquent poll taxes may be collected by distress and sale or garnishment, and the officer is entitled to 12½ per cent commission and fees for his services.

C. THE INHERITANCE TAX.

All estates, real, personal, and mixed, of every kind whatsoever, situated within this state, whether the persons dying seized thereof be domiciled within or without the state, passing from any person who may die seized or possessed of such estates, either by will or under the intestate laws of this state, or any part of such estate or estates or interest therein passing by deed, grant, bargain, gift, or sale, made in contemplation of death or intended to take effect in possession or enjoyment after the death of the grantor or bargainor, are subject to a tax in the following cases:

Passing to the father, mother, brother, sister, the wife or widow of a son, or the husband of a daughter, or any child or children adopted as such in conformity with the laws of the state of Tennessee, husband, wife, child, and lineal descendants born in lawful wedlock: All inheritances of $5,000 and over, but less than $20,000, are subject to a tax of 1 per cent of the clear market value; all inheritances of $20,000 and over are subject to a tax of 1¼ per cent of the clear market value.

Passing to any other person or persons or to bodies corporate or politic, in trust or otherwise, are subject to a tax of 5 per cent of the clear market value. In this case estates valued at a less sum than $250 are exempt.

This tax is paid to the county court clerk of each county for the use of the state.

If this tax shall be paid within three months after the death of the decedent, a discount of 5 per cent on the amount of the tax shall be made and allowed; and if said tax is not paid at the end of one year from the death of the decedent, at which time it shall be due, interest shall then be charged at the rate of 6 per cent per annum on said tax.

D. CORPORATION TAXES.

Corporations, like individuals, are subject to the ad valorem tax on property. The value of intangible property is reached by an assessment of the capital stock and bonded debt.

Privilege taxes are collected annually by the comptroller from the following corporations, in lieu of all other taxes except ad valorem tax on property.

Express companies—if lines in the state are less than 100 miles, $1,000; more than 100 miles, $2,500; sleeping car companies, $3,000; news companies, $750. Railroad companies exempt from ad valorem tax, per mile, $120 (special contracts were made in 1903 with 11 companies to pay $4,500 for 10 years in lieu of all other taxes authorized). Storage and warehouse companies, 2½ per cent on gross premiums. Trading stamp companies, in each county, $500; merchants using stamps, $250. Telegraph companies—25 to 100 miles of wire, $20; 100 to 300 miles of wire, $200; 300 to 1,000 miles of wire, $700; 1,000 to 6,000 miles, for each mile over 1,000, $20; for each 100 miles over 6,000, $10. Railroad terminal companies—counties of 90,000 inhabitants, $750; 70,000 to 90,000, $500; 50,000 to 70,000, $400. Telephone companies—counties of 40,000 inhabitants or over, each instrument, 50 cents; 20,000 to 40,000, each instrument, 30 cents; less than 20,000, each instrument, 20 cents; telephone box or slot machine, $3 per annum. Insurance companies and fidelity and surety corporations or companies are required to pay to the insurance commissioner—foreign fire and all other companies of other states, 2½ per cent of the gross premium receipts in the state, payable semiannually, January and July; mutual fire insurance companies of the state doing business outside county of domicile, $300. Building and loan associations—capital paid in, up to $10,000, $20; $10,000 to $25,000, $47; $25,000 to $50,000, $95; $50,000 to $100,000, $140; $100,000 to $150,000, $187.50; $150,000 to $200,000, $280; $200,000 to $250,000, $375; $250,000 to $300,000, $468; $300,000 to $350,000, $562.50; $350,000 to $400,000, $656; $400,000 to $450,000, $750; $450,000 to $500,000, $843.50; each additional $100,000 or fractional part thereof, $92.50.

There is a penalty of 1 per cent per day for the nonpayment of privilege taxes, and to exercise any privilege without first paying the tax is a misdemeanor for which the fine is $10 to $50.

E. BUSINESS TAXES, LICENSES, AND FEES.

The following occupations are declared to be privileges, and the taxes thereon are collected annually by the county court clerk unless otherwise stated.

A privilege is defined to be the exercise of a business or occupation which requires a license. The imposition of a privilege tax is not to be construed as a release or exemption from the ad valorem tax unless specially provided.

Any indigent ex-Confederate or ex-Federal soldier doing a privilege business, with a capital not exceeding $250, is exempt from the privilege tax.

Merchants are to pay, in addition to the ad valorem tax upon the average capital invested by them in their business, a privilege tax of 15 cents on each $100, 7½ cents of which is for school purposes and 7½ cents for state purposes. This tax is never to be less than $5; $5 is to be paid when the license is taken out and equally divided between the state and the county. If stock is less than $800, the privilege tax is fixed at $7.50 per annum, that no ad valorem shall be taxed.

Abstract companies—cities of 60,000 inhabitants or over, $75; 20,000 to 60,000, $50; 15,000 to 20,000, $25; less than 15,000, $10. Athletic clubs (boxing or wrestling), $300. Advertising companies or corporations—street car advertising in counties of 60,000 inhabitants or over, $100; in counties of less than 60,000 and more than 40,000, $25; counties of 40,000 and less, $5; in dummy cars or railroad cars, counties of 50,000 or over, $50; counties of less than 50,000, $25; railroad depots in each county, $10; by means of banners, floats, cartoons, etc., in cities, towns, or taxing districts of 60,000 or over, $25; from 20,000 to 60,000, $15; on billboards in cities, towns, or taxing districts of 60,000 or over, $75; from 20,000 to 60,000, $50; less than 20,000 inhabitants, $10. Artists and photographers—cities and taxing districts of over 20,000 inhabitants, $25; 6,000 to 20,000, $15; 2,000 to 6,000, $7.50; under 2,000, $5; galleries, outside cities and towns, $5; traveling galleries, for the state, $50; each agent soliciting pictures to be enlarged outside of state in each county where solicited, $5.

Auctioneers—cities of 35,000 inhabitants or over, $20; 20,000 to 35,000, $15; 6,000 to 20,000, $10; less than 6,000, $5; outside cities, $5; transient, 60,000 and over, per week, $15; 20,000 to 60,000, per week, $10; districts less than 20,000, $5. Automobiles, garage, or dealers—cities of 60,000 or over, $75; 20,000 to 60,000, $50; less than 20,000, $20; automobiles for hire, $10 each. Baseball parks—counties over 100,000 inhabitants, $100; 50,000 to 100,000, $60; 20,000 to 50,000, $40; less than 20,000, $10; traveling ball teams not playing in regular parks, $10; detailing ball games, $25. Billposters—cities of 60,000 inhabitants or over, $75; 10,000 to 60,000, $50; 2,000 to 10,000, $10; under 2,000, $5. Bicycle dealers or renters, $10; keeping bicycle for hire, $10. Bottlers (other than natural mineral waters)—counties of 100,000 inhabitants or over, $150; 50,000 to 100,000, $100; 35,000 to 50,000, $100; 25,000 to 35,000, $50; less than 25,000, $15. Breweries, $500; agents of breweries in cities of 20,000 inhabitants or over, $500; 7,500 to 20,000, $150; 7,500 and less, $50. Brokers (other than real estate or merchandise)—cities of 60,000 or over, $75; 20,000 to 60,000, $50; under 20,000, $25; outside cities, $25. Butchers—cities of 20,000 inhabitants or over, $15; 10,000 to 20,000, $10; 6,000 to 10,000, $7.50; 1,000 to 6,000, $5. Wholesale dealers in fresh meat and cold-storage companies—counties of 50,000 inhabitants or over, $150; 40,000 to 50,000, $75; under 40,000, $50; cold-storage companies for local butchers only, in counties over 75,000, $75; 40,000 to 75,000, $37.50; less than 40,000, $5. Check room—when charge is 10 cents per day, $20; when charge is less than 10 cents per day, $10. Cigar stands—cities of 20,000 inhabitants or over, $10; under 20,000, $5. Cash registers—districts of 60,000 inhabitants or over, $25; less than 60,000, $10. Circuses and menageries—counties of 50,000 inhabitants and over, $100 per day; 40,000 to 50,000, $75; 35,000 to 40,000, $50; 30,000 to 35,000, $37.50; 25,000 to 30,000, $35;

20,000 to 25,000, $25; under 20,000, $20; sleight of hand, $20 per day; other exhibitions, $15 per day, $30 per week, $100 per month; traveling companies (outside taxed theaters), $5 per day, $25 per week, $100 per month; concerts, $40 per annum; moving pictures, in cities of 36,000 or over, $60; less than 36,000, $40; magic lanterns, each, per annum, $5; trained-animal exhibitions—counties of 50,000 inhabitants or over, $20 per day; 30,000 to 50,000, $15; less than 30,000, $10. Coal and coke dealers—cities of 60,00 inhabitants or over, $40; 20,000 to 60,000, $30; 6,000 to 20,000, $12.50; less than 6,000, $5. Coal oil or petroleum products—cities of 30,000 inhabitants or over (or within 5 miles of such cities), $300; 10,000 to 30,000, $200; 5,000 to 10,000, $150; 2,000 to 5,000, $75; under 2,000, $50. Cobblers—in districts of 60,000 or over, $7.50; 20,000 to 60,000, $5. Collection agencies—cities of 20,000 inhabitants or over, $35; less than 20,000, $10. Commercial agencies—cities of 20,000 inhabitants or over, $150; under 20,000, $75; local, $11. Construction companies—foreign, in each county, $100; domestic, in each county, $25. Cottonseed-oil mills—plants pressing under 1,000 tons annually, $15; 1,000 to 5,000, $30; 5,000 to 10,000, $40; 10,000 to 20,000, $60; 20,000 to 30,000, $100; 30,000 to 50,000, $150; 50,000 to 75,000, $200; 75,000 to 100,000, $300; over 100,000, $350. Cotton compresses—pressing 1 to 20,000 bales, per annum, $25; 20,000 to 50,000 bales, per annum, $50; 50,000 to 100,000 bales, per annum, $100; 100,000 bales or over, per annum, $150. Cotton factors—cities of 20,000 inhabitants or over, $25; 10,000 to 20,000, $15; 5,000 to 10,000, $7.50; less than 5,000, $5. Detective agencies, $100. Dealers in oriental wares and novelties, in each county, $100; dealers in theater tickets, cities of 40,000 inhabitants or over, $25; 20,000 to 40,000, $10; 10,000 to 20,000, $5; dealers in soft drinks, $3; those selling soft drinks outside corporate limits, $2. Distillers of brandy—capacity 5 barrels or over per day, $50; less than 5 barrels, $25; distillers of whisky—capacity 10 barrels per day or over, $500; 5 to 10 barrels per day, $300; 2 to 5 barrels per day, $150; 1 to 2 barrels per day, $50; less than 1 barrel, $25. Directories—in districts of 60,000 inhabitants or over, $50; 20,000 to 60,000, $25; 10,000 to 20,000, $10. Dog and pony shows—in counties of 50,000 or over, $20; 30,000 to 50,000, $15; less than 30,000, $10. Lunch houses and stands—cities of 8,000 inhabitants or over, $10; 5,000 to 8,000, $5; under 5,000, $2.50. Electric light companies—cities of 100,000 inhabitants or over, $750; 60,000 to 100,000, $750; 20,000 to 60,000, $500; 7,500 to 20,000, $200; 4,000 to 7,500, $100; 3,000 to 4,000, $50; 2,000 to 3,000, $30; 1,000 to 2,000, $25. Embalmers, $5. Pressing and dyeing establishments, work done by hand, in cities of 60,000 inhabitants and over, $15; 20,000 to 60,000, $10; less than 20,000, $5; work done by steam, in cities of 20,000 inhabitants or over, $25; 10,000 to 20,000, $12.50; 6,000 to 10,000, $7.50; 6,000 and under, $2.50. Feather renovators, in each county, $300. Buying fees of witnesses or officers of court—counties of 50,000 inhabitants or over, $100; 20,000 to 50,000, $50; 10,000 to 20,000, $25; less than 10,000, $10. Ferries—cities of 10.000 inhabitants or over (or within 5 miles), $50; 5,000 to 10,000, $30; 3,000 to 5,000, $20; less than 3,000, $5; counties more than 5 miles from cities, $5. Florists—districts of 60,000 inhabitants, $25; 20,000 to 60,000, $15; less than 20,000, $7.50. Flying jennies—cities of over 30,000 inhabitants, $5 per month; under 30,000, $2.50 per month each. Fortune tellers, $10. Fruit stands—cities of 50,000 inhabitants or over, $5; under 50,000, $2.50. Futures on exchange—cities of 30,000 inhabitants or over, $500; 20,000 to 30,000, $400; under 20,000, $300. Games—billiard tables, pool tables, alleys, shooting galleries, etc.—cities of 20,000 inhabitants or over, $25; 10,000 to 20,000, $15; under 10,000, $10; counties outside of cities, $25; throwing rings and other devices, $10. Gas companies—cities of 70,000 inhabitants or over, $700; 30,000 to 70,000, $350; 20,000 to 30,000, $250; 10,000 to 20,000, $125; 4,000 to 10,000, $75; under 4,000, $50 (cities of over 8,000 supplying gas for commercial purposes must pay this tax). Hotels—each room for which more than $1 per day is charged, 75 cents; less than $1 per day, 50 cents. Hucksters—cities of 60,000 inhabitants or over, $5; 20,000 to 60,000, $3; 6,000 to 20,000, $2; less than 6,000, $1. Ice—cities of 35,000 inhabitants or over, $100; 15,000 to 35,000, $75; 6,000 to 15,000, $50; 2,500 to 6,000, $10; 1,000 to 2,500, $5; ice sold from cars, in each county, $50; dealers using wagons, per wagon, $5 (tax does not apply to towns under 1,000). Intelligence offices, $10; itinerants, physicians, etc., $200 for the whole state and to each county as follows: Counties of 60,000 inhabitants or over, $40; 30,000 to 60,000, $25; less than 30,000, $15; cities of 25,000 inhabitants or over, $40; 5,000 to 25,000, $25; less than 5,000, $15. Junk dealers—districts of 50,000 inhabitants, $25; 30,000 to 50,000, $15; 5,000 to 30,000, $10. Laundries—cities of 20,000 inhabitants or over, $50; 5,000 to 20,000, $25; under 5,000, $7.50; under 1,000 no tax; agents for laundries outside of state, $10. Each laundry paying regular tax shall, in addition, pay for each substation in districts of more than 20,000 inhabitants, each per annum, $20. Lighting companies (other than electric and gas), lights for streets, railroad and sleeping car companies—cities of 50,000 inhabitants or over, $100; 20,000 to 50,000, $25; under 20,000, $10. Lightning-rod agents, in each county, $100. Liquor dealers (in addition taxed as merchants), wholesale, $500; retail—cities of 6,000 or over, $500; less than 6,000, $500; boats and cars, $500. Livery, sale, and feed stables—each stall 50 cents; outside of towns of more than 5,000 and less than 5,500 population in counties of more than 24,900 and less than 25,000 population, $5. Lunch stands or eating houses—districts of 10,000 inhabitants or over, $10; from 15 to 25 stools, $15; over 25 stools, $20; districts of 5,000 to 10,000, with 15 or less stools, $5; 15 to 25 stools, $7.50; over 25 stools, $10; in districts less than 5,000 inhabitants, $5. Slot machines, music boxes, phonographs, etc., nickel-in-the-slot, $10; penny-in-the-slot, $2.50. Marriage license, $1. Marble dealers (monuments)—districts of 10,000 inhabitants or over, $25; from 2,000 to 10,000 inhabitants, $10. Messenger service, districts of 10,000 inhabitants or over, $15. Manufacturers of patent medicines—gross sales from $5,000 to $20,000, each $10; $20,000 to $60,000, $15; $60,000 to $100,000, $50; $100,000 to $150,000, $150; $150,000 to $200,000, $200; $200.000 to $300,000, $300; $300,000 to $400,000, $400; $400,000 to $500,000, $500; more than $500,000, $1,000. Express and parcel cars—counties of over 50,000 inhabitants, $10; under 50,000, $5. Parks (admission fee), $100. Pawnbrokers (also taxed as merchants)—cities of 30,000 inhabitants or over, $200; 8,000 to 30,000, $75; 6,000 to 8,000, $75; under 6,000, $50; outside cities, $10. Peddlers, on foot, in each county, $10; with horse and vehicle, each county, $20; more than one horse, in each county, each horse, $20; patent medicine, on foot or horse, in each county, $15; horse and wagon, in each county, $20; school apparatus, maps, charts, in each county, $150; horse and vehicle, $300; each additional horse, $100; coal oil and gasoline, $10. Playing cards—wholesale, $20; retail, $5. Plumbers and gas fitters (taxed also as merchants)—cities of 35,000 inhabitants or over, $20; 10,000 to 35,000, $15; 5,000 to 10,000, $10; under 5 000, $5. Railway licenses—incline, fare of more than 50 cents, $250; less than 50 cents, $150; less than 25 cents, $100. Dealers in ranges and clocks (not required of merchants)—counties of 35,000 inhabitants or over, $25; 20,000 to 35,000, $20; under 20,000, $15. Real estate dealers—cities of over 50,000 inhabitants, $25; 35,000 to 50,000, $20; 20,000 to 35,000, $15; 10,000 to 20,000, $10; under 10,000, $5; counties outside cities, $5. Restaurants and cafés—cities of 35,000 inhabitants or over, $40; 20,000 to 35,000, $30; 10,000 to 20,000, $25; 6,000 to 10,000, $20; 2,000 to 6,000, $10; under 2,000, $3; outside cities, $3. Sand, lime, sewer pipe, or cement—districts of 10,000 inhabitants and over, $20; less than 10,000, $10. Securities (dealers in notes, etc.)—counties of 50,000 inhabitants or over, $50; 30,000 to 50,000, $25; 15,000 to 30,000, $5. Loan agents letting money at more than 50 per cent per annum, $100. Sewing-machine companies and dealers (in lieu of all other taxes except merchants' privilege and ad valorem taxes), $200; for each agent (except merchants), $5. Skating rinks—cities of 20,000 inhabitants or over, $30; 10,000 to 20,000, $15; 5,000 to 10,000, $10; under 5,000, $5; outside cities, $5. Soda-water fountains, investment less than $500—in districts of 20,000 inhabitants, $10; 5,000 to 20,000, $5; less than 5,000, $2.50; investment from $500 to $1,000 in districts of 20,000 inhabitants or over, $12.50; from 5,000 to 20,000, $6; less than $5,000, $3; investment $1,000 to $2.500 in districts of 20,000 or more, $15; 5,000 to 20,000, $7.50; less than 5,000, $5; investment $2.500 to $5,000 in districts of 20,000 inhabitants or over, $20; 5,000 to 20,000, $10; 5,000 or less, $5; investment over $5,000 in districts of 20,000 or over, $25; less than 20,000, $12.50. Stock pens, etc., $1 per pen of 400 square feet. Street car companies and dummy railroads—cities of 60,000 inhabitants or over, per mile, $10; 20,000 to 60,000, per mile, $8; 10,000 to 20,000, per mile, $6; under 10,000, per mile, $3. Swimming pools, $5. Theaters—cities of 40,000 inhabitants or over, $200; 20,000 to 40,000, $100; 10,000 to 20,000, $50; 5,000 to 10,000, $25; 3,000 to 5,000, $15; under 3,000, $10; counties outside of cities, $50; in public parks in counties of more than 100,000 inhabitants and not charging more than 25 cents admission, $100; 50,000 to 100,000, $50. Transfer business for hire, each horse $1. Turnpikes per tollgate, toll both ways—counties of 50,000 inhabitants or over, $50; 30,000 to 50,000, $40; under 30,000, $12.50; companies increasing tolls, per gate, $250. Undertakers—cities of 50,000 inhabitants or over, $50; 20,000 to 50,000, $30; 10,000 to 20,000, $20; 6,000 to 10,000, $10; under 6,000, $5; counties outside cities, $5. Variety theaters, $200. Warehouses and elevators—cities of 8,000 inhabitants or over, $50; under 8,000, $25; storage of furniture and household effects—cities of 8,000 inhabitants or over, $25; less than 8,000, $15; counties of over 30,000 outside of cities, $25. Water companies—cities of 50,000 inhabitants or over, $800; 35,000 to 50,000, $600; 20,000 to 35,000, $400; 6,000 to 20,000, $100; under 6,000, $10. Wild west shows—each day and night, in counties of 50,000 inhabitants or over, $150; less than 50,000, $75.

On all transfers of realty there is levied a state tax of $1 per $1,000 of consideration (which is not to be less than the value of the property).

The following taxes are to be charged to loser in bill of costs: Each suit in law or equity in court of record, $2.50; each indictment or presentment, $5; appeal to supreme court in criminal cases where defendant is unsuccessful, $7.50; appeals from circuit or chancery to supreme court, $5; appeal from justice of the peace, $2.50.

Secretary of state.—Charter of incorporation, foreign or domestic, or amendments thereto, and all consolidations or mergers, one-tenth of 1 per cent on capital stock, except literary and religious corporations; recording domestic charter, $10; certified copy of domestic charter, $10; certified copy of foreign charter, $20; abstract, foreign charter, $20; filing foreign charter, $20; filing articles of consolidation (in addition to tax), $25; filing articles of agreement between corporations, $25; charter or certificate of municipal corporations, $50; commission of notary public, $3; commission of commissioner of deeds, $10; commission of appointee of governor, $5; charters of incorporation, not for religious or educational purposes, $25; for granting amendment of the charter of any corporation chartered by act of the general assembly, $100; other corporations except for purely educational or religious purposes, $10. Each requisition, $5; warrant on a requisition, $3; automobile registration, $2; certificate of transfer of automobile, $1.

Foreign corporations on filing charter for privilege of entering state pay to the secretary of state on $50,000 and less of capital stock, $50; $50,000 to $100,000, $100; $100,000 to $200,000, $150; $200,000 to $300,000, $200; $300,000 to $400,000, $250; $400,000 to $500,000, $300; $500,000 to $750,000, $400; $750,000 to $1,000,000, $500; $1,000,000 to $2,000,000, $750; $2,000,000 to $5,000,000, $1,000; $5,000,000 and over, $1,500.

Any company chartered under laws of foreign state, but doing business as domestic corporation, shall pay a privilege tax of one-tenth of 1 per cent on authorized capital stock. (Insurance companies may deduct fees paid insurance commissioner.)

Domestic mutual or assessment fire insurance companies—filing copy of charter, etc., $15; filing annual statement, $10. Other companies—filing copy of charter, $30; annual statement, life, $25; annual statement, other than life, $15; certificate to agent, $2.

Agents' fees.—Commencing between January 1 and April 1 of each year, $10; between April 1 and July 1, $7.50; between July 1 and October 1, $5; commencing after October 1, $2.50.

Fire and marine insurance companies, in addition to the privilege tax, shall pay one-half of 1 per cent on gross premiums for purpose of executing the fire marshal law.

F. THE INCOME TAX.

There is no income tax in Tennessee.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the assessment and equalization thereof are the same for county taxes as for state.

2. *Rate*—

Exclusive of the tax for public roads, pikes, schools, and interest on the county debts and of the taxes for other special purposes, the several county courts are authorized to levy an annual county tax on every $100 of taxable property, not exceeding 30 cents.

3. *Collection*—

Same as for state taxes.

B. POLL TAXES.

The constitutional poll tax of $1 is collected by the county trustees and paid over to the school districts.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no county inheritance or corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

Each county is authorized to levy a privilege tax upon merchants and upon other occupations declared to be privileges, not exceeding in amount that levied by the state for state purposes. The imposition of a privilege tax is not to be construed as an exemption from an ad valorem tax unless so specially provided.

Marriage licenses, $1 (to be used for school purposes).

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the assessment and equalization thereof are the same for municipal taxation as for the state and county.

2. *Rate*—

Municipalities of over 20,000 inhabitants, 15 mills on the dollar; 12,000 to 20,000, not to exceed 12½ mills on the dollar; 5,000 to 12,000, not to exceed 10 mills on the dollar; under 5,000, not to exceed 7½ mills on the dollar.

3. *Collection*—

The collection is the same as for state and county, except that municipal corporations having power under their charter to collect their own taxes on property, privileges, and polls may provide therefor by ordinance.

B. POLL TAXES.

The municipal poll tax is not to exceed $1.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no inheritance or corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

Each municipality is authorized to levy the same "privilege taxes" as the state and county.

Taxing District Revenues.

The several towns, cities, or communities in the state, the population of which does not exceed 30,000 and the charters of incorporation of which have been repealed or shall hereafter be repealed or abolished, are created taxing districts, to be styled taxing districts of the second class (and known by the name of the town or city at the time the corporation became extinct).

After the debts of the taxing districts have been compromised with the creditors, the commissioners may by ordinance levy taxes upon all property taxable for state purposes and upon all privileges and polls, to defray the expenses and pay the compromised debts. A tax of $1 on every $100 is levied on property and one on merchants equal to the state tax.

School Revenues.

The interest on the permanent school fund and other state school moneys is apportioned by the comptroller among the several counties according to their school population.

When the income from the state fund is not sufficient to maintain a public school for five months in the year, additional taxes, not to exceed the amount levied by the state, may be levied by the counties.

Municipal corporations may also impose an additional tax.

The constitutional poll tax and the state tax of 1½ mills on all taxable property are collected by the county trustee and distributed to the school districts according to scholastic population.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

Effective January 1, 1914, a state banking department was created which is charged with the execution of all laws relative to corporations, firms, and individuals doing or carrying on a banking business in the state. For the support of this department every banking house pays into the state treasury an annual fee, the amount of said fee being based on the capital, surplus, and undivided profits of the bank and ranging from $10 for $10,000 or less to $500 for $1,000,000 or more. Each branch office of a bank pays a fee of $20 in addition to amount paid by parent bank.

For the purpose of school sites or the extension or enlargement of grounds upon which to build and provide schoolhouses or free public high schools, and the necessary grounds appurtenant thereto, all municipal corporations owning, or which may in future own, any free public school or free public high school were given the right of eminent domain.

Fraternal beneficiary associations or societies were required to pay to the insurance commissioner an annual license fee of $10. This fee is in lieu of all other taxes except taxes on real estate and office equipment.

The percentage of the general revenue of the state appropriated to the general education fund was increased from 25 to 33⅓. The legislature in this act made further and liberal provisions for increased efficiency of the public school system in general and encouraging the establishment of departments of industrial work, home economics, manual training, and kindred subjects.

Provision was made for the creation of road-improvement districts upon the application of 25 per cent of the freeholders residing within the territory of the proposed district, which are empowered to issue and sell interest-bearing bonds for the purpose of grading, graveling, and improving the public roads within the district. The board of road-improvement district commissioners fixes the tax rate for paying the interest on and retiring said bonds at maturity. This tax is in lieu of all others for road purposes within the district. The county courts may issue bonds for highway purposes in the county, said issue to be ratified by two-thirds of the voters of the county, a tax to provide for such bonds to be levied by the county courts.

Municipalities or taxing districts having a population of less than 100,000 were authorized to issue bonds for the purchase of land and erection thereon of school buildings, city halls, and other public buildings, and for the purchasing or establishing of public utilities and for general public purposes. Also to levy a special tax to pay the interest and retire said bonds at maturity.

All investment companies were required to pay a filing fee of $25, with the filing of a full and detailed statement of their business, and a semiannual fee of $5, with a statement of its financial condition.

Transient merchants must make a special deposit of $200 and pay a fee of $25, as a state license; in addition municipal corporations may impose a license of not to exceed $20 per day for each day they may be engaged in carrying on their business.

Rules and regulations for the government of all cities, towns, and other municipalities which may adopt the commission form of government, together with the method to be followed in adopting same, were provided for by the legislature.

TEXAS.[1]

Texas depends primarily upon the general property tax for state, county, and local revenues. There is an elaborate system of "occupation" taxes on various lines of business, incorporation and franchise taxes on corporations, and some special taxes on the gross receipts of transportation and insurance companies. These taxes are in addition to the general property tax. There are also state, county, and municipal poll taxes.

An inheritance tax law was enacted in 1907.

CONSTITUTIONAL PROVISIONS.

ARTICLE VIII.

SEC. 1. Taxation shall be equal and uniform. All property in this state, whether owned by natural persons or corporations, other than municipal, shall be taxed in proportion to its value, which shall be ascertained as may be provided by law. The legislature may impose a poll tax. It may also impose occupation taxes, both upon natural persons and upon corporations other than municipal, doing any business in this state. It may also tax incomes of both natural persons and corporations other than municipal, except that persons engaged in mechanical and agricultural pursuits shall never be required to pay an occupation tax: *Provided*, That $250 worth of household and kitchen furniture belonging to each family in this state shall be exempt from taxation: *And provided further*, That the occupation tax levied by any county, city, or town for any year on persons or corporations pursuing any profession or business shall not exceed one-half of the tax levied by the state for the same period on such profession or business.

SEC. 2. All occupation taxes shall be equal and uniform upon the same class of subjects within the limits of the authority levying the tax, but the legislature may, by general laws, exempt from taxation public property used for public purposes, actual places of religious worship, places of burial not held for private or corporate profit, all buildings used exclusively and owned by persons or associations of persons for school purposes (and the necessary furniture of all schools) and institutions of purely public charity; and all laws exempting property from taxation other than the property above mentioned shall be void.

SEC. 3. Taxes shall be levied and collected by general laws and for public purposes only.

SEC. 4. The power to tax corporations and corporate property shall not be surrendered or suspended by act of the legislature by any contract or grant to which the state shall be a party.

SEC. 5. All property of railroad companies of whatever description lying or being within the limits of any city or incorporated town within this state shall bear its proportionate share of municipal taxation, and if any such property shall not have been heretofore rendered, the authorities of the city or town within which it lies shall have power to require its rendition and collect the usual municipal tax thereon, as on other property lying within said municipality.

SEC. 8. All property of railroad companies shall be assessed and the taxes collected in the several counties in which said property is situated, including so much of the roadbed and fixtures as shall be in each county. The rolling stock may be assessed in gross in the county where the principal office of the company is located, and the county tax paid upon it shall be apportioned by the comptroller, in proportion to the distance such road may run through any such county, among the several counties through which the road passes, as a part of their tax assets.

SEC. 9. The state tax on property, exclusive of the tax necessary to pay the public debt and of the taxes provided for the benefit of public free schools, shall never exceed 35 cents on $100 valuation; and no county, city, or town shall levy more than 25 cents for city or county purposes, and not to exceed 15 cents for roads and bridges on the $100 valuation, except for the payment of debts incurred prior to the adoption of the amendment, September 25, A. D. 1883; and for the erection of public buildings, streets, sewers, waterworks, and other permanent improvements, not to exceed 25 cents on the $100 valuation in any one year and except as is in this constitution otherwise provided; and the legislature may also authorize an additional annual ad valorem tax to be levied and collected for the further maintenance of public roads: *Provided*, That a majority of the qualified property tax-paying voters of the county, voting at an election to be held for that purpose, shall vote such tax, not to exceed 15 cents on the $100 valuation of the property subject to taxation in such county. And the legislature may pass local laws for the maintenance of public roads and highways without the local notice required for special or local laws.

SEC. 10. The legislature shall have no power to release the inhabitants of, or property in, any county, city, or town from the payment of taxes levied for state or county purposes, unless in case of great public calamity in any such county, city, or town, when such release may be made by a vote of two-thirds of each house of the legislature.

SEC. 11. All property, whether owned by persons or corporations, shall be assessed for taxation and the taxes paid in the county where situated, but the legislature may by a two-thirds vote authorize the payment of taxes of nonresidents of counties to be made at the office of the comptroller of public accounts. And all lands and other property not rendered for taxation by the owner thereof shall be assessed at its fair value by the proper officer.

SEC. 12. All property subject to taxation in and owned by residents of unorganized counties shall be assessed and the taxes thereon paid in the counties to which such unorganized counties shall be attached for judicial purposes; and lands lying in and owned by nonresidents of unorganized counties, and lands lying in the territory not laid off into counties, shall be assessed and the taxes thereon collected at the office of the comptroller of the state.

SEC. 13. (Provision for tax sales and redemption.)

SEC. 14. (Election of county assessor for a two-year term.)

SEC. 15. (Taxes on land to be a lien thereon.)

SEC. 16. (Sheriff to be collector of taxes for the county, except in counties having over 10,000 inhabitants, when a collector is to be elected.)

SEC. 17. The specification of the objects and subjects of taxation shall not deprive the legislature of the power to require other subjects or objects to be taxed, in such manner as may be consistent with the principles of taxation fixed in this constitution.

SEC. 18. The legislature shall provide for equalizing, as near as may be, the valuation of all property subject to or ren-

[1] This compilation is derived mainly from the following sources:
Sayles' Annotated Civil Statutes of the State of Texas. Sayles & Sayles: The Gilbert Book Co., St. Louis, Mo., 1898.
Supplement to Sayles' Annotated Civil Statutes, 1897 to 1904. W. W. Herron: The Gilbert Book Co., St. Louis, Mo., 1903–1908.
The Session Laws to 1913.

dered for taxation (the county commissioners' court to constitute a board of equalization); and may also provide for the classification of all lands and titles.

SEC. 19. Farm products in the hands of the producer and family supplies for home and farm use are exempt from all taxation until otherwise directed by a two-thirds vote of all the members elect to both houses of the legislature.

ARTICLE III.

SEC. 48. The legislature shall not have the right to levy taxes or impose burdens upon the people, except to raise revenue sufficient for the economical administration of the government, in which may be included the following purposes:

The payment of all interest upon the bonded debt of the state.

The erection and repairs of public buildings.

The benefit of the sinking fund, which shall not be more than 2 per cent of the public debt; and for the payment of the present floating debt of the state, including matured bonds, for the payment of which the sinking fund is inadequate.

The support of public schools, in which shall be included colleges and universities established by the state; and the maintenance and support of the agricultural and mechanical colleges of Texas.

The payment of the cost of assessing and collecting the revenue, and the payment of all officers, agents, and employees of the state government, and all incidental expenses connected therewith with reference to their value in the several counties.

The support of the blind asylum, the deaf and dumb asylum, and the insane asylum, the state cemetery, and the public pounds of the state.

The enforcement of quarantine regulations on the coast of Texas.

The protection of the frontier.

ARTICLE XI.

SEC. 4. Cities and towns having a population of 10,000 inhabitants or less * * * may levy, assess, and collect an annual tax to defray the current expenses of their local government, but such tax shall never exceed for any one year one-fourth of 1 per cent, and shall be collectible in current money. And all license and occupation taxes levied, and all fines, forfeitures, penalties, and other dues accruing to cities and towns, shall be collectible only in current money.

SEC. 5. Cities having more than 10,000 inhabitants may * * * levy, assess, and collect such taxes as may be authorized by law, but no tax for any purpose shall ever be lawful for any one year which shall exceed 2½ per cent of the taxable property of such city; and no debt shall ever be created by any city unless at the same time provision be made to assess and collect annually a sufficient sum to pay the interest thereon and create a sinking fund of at least 2 per cent thereon.

SEC. 6. Counties, cities, and towns are authorized, in such mode as may now or may hereafter be provided by law, to levy, assess, and collect the taxes necessary to pay the interest and provide a sinking fund to satisfy any indebtedness heretofore legally made and undertaken; but all such taxes shall be assessed and collected separately from that levied, assessed, and collected for current expenses of municipal government, and shall, when levied, specify in the act of levying the purpose therefor, and such taxes may be paid in the coupons, bonds, or other indebtedness for the payment of which such tax may have been levied.

SEC. 7. (All counties and cities bordering on the coast of the Gulf of Mexico are hereby authorized, upon a vote of two-thirds of the taxpayers therein (to be ascertained as may be provided by law), to levy and collect such tax for construction of sea walls, breakwaters, or sanitary purposes as may be authorized by law.)

SEC. 8. (The property of counties, cities, and towns held for public purposes is exempt from taxation.)

SEC. 10. The legislature may constitute any city or town a separate and independent school district. And when the citizens of any city or town have a charter, authorizing the city authorities to levy and collect a tax for the support and maintenance of a public institution of learning, such tax may hereafter be levied and collected if, at an election held for that purpose, two-thirds of the taxpayers of such city or town shall vote for such tax.

OFFICERS.

The officers most directly concerned with taxation are:

(1) Town and city assessors, elected every two years.

(2) Town and city collectors, elected every two years.

(1a) County assessor, elected by the county for a term of two years.

(2a) County collector, elected for two years in counties with a population of over 10,000; in others the sheriff is ex officio collector.

(3) County board of equalization, composed of the commissioners' court of the county.

(4) Comptroller of public accounts.

(5) Board of equalization for unorganized counties, consisting of the governor, attorney general, and secretary of state.

(6) State tax board composed of the comptroller of public accounts, the secretary of state, and a third member appointed for two years by the governor to be known as the tax commissioner.

(7) The governor, comptroller of public accounts, and the state treasurer constitute a board to calculate the ad valorem tax to be levied each year for state and public school purposes.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All property, real, personal, or mixed, except such as is expressly exempted, is subject to taxation.

(1) Real property, for purposes of taxation, is construed to include the land itself and all buildings, structures, and improvements or other fixtures thereon, and all rights and privileges appertaining thereto, and all mines, minerals, quarries, and fossils in and under the same; also standing timber.

(2) Personal property includes all goods, chattels, and effects, and all moneys, credits, bonds and other evidences of debt owned by citizens of the state, whether the same be in or out of the state; all ships, boats, and vessels belonging to inhabitants of the state, if registered in the state, whether at home or abroad, and all capital invested therein; all moneys at interest within or without the state due to the person to be taxed above what he pays interest for, and all other debts due to such person over and above his indebtedness; all public stock and securities; all stock in corporations (except national banks) out of the state owned by residents; all personal estate of moneyed corporations, whether the owners thereof are residents or nonresidents; the income of any annuity, unless the capital of such annuity be taxed within the state; all shares in any national bank; all improvements made by persons on lands held by them, the title to which is still vested in the state

or in any railroad company, or which have been exempted from taxation for the benefit of any corporation whose property is not subject to the same mode and rule of taxation as other property.

(3) Exemptions in addition to public property are: Houses used exclusively for public worship, the books and furniture therein, and the necessary ground; public colleges and academies, with their lands; endowment funds of institutions of learning; all buildings used exclusively for school purposes; cemeteries; property used for public charity; fire engines and their buildings; public libraries; household and kitchen furniture not over $250, including one sewing machine; annual pensions granted by the state and by the United States; farm products in the hands of the producer and family supplies.

b. Assessment.—In general, there is but one assessment, made annually by the county assessors, which forms the basis of state and county taxes. All property is assessed as of January 1, at its true and full value, which is the price that could be obtained for it at a private sale where the property is situated. The taxpayer renders to the assessor the list and value of his property, and the assessor is required to swear the owner that the inventory contains a true, full, and complete list of all his taxable property.

The valuation as rendered in the list of the taxpayer is to a certain extent binding upon the assessor, and if he is not satisfied, he must refer his estimate to the board of equalization of the county and notify the taxpayer.

Provision is made for the assessment of back taxes for previous years in which property escaped being rendered or assessed.

Credits are assessed only for the balance above indebtedness, but no deduction is allowed on account of any bond, note, or obligation of any kind given to any mutual insurance company, or subscription to capital stock or benevolence.

Property owned by residents and located in unorganized counties is to be assessed by the assessor of the county to which it is attached for judicial purposes. Lands of nonresidents lying in unorganized counties are to be assessed by the comptroller of public accounts. The board of equalization for this property consists of the governor, the attorney general, and the secretary of state.

The property of corporations is assessed the same as other property, in accordance with the constitutional requirement. There are in addition, however, various special corporation taxes. But shares of capital stock of corporations which are taxed on their capital and property need not be listed.

National banks are assessed on their real estate, and their shares are assessed to the individual holders thereof. All the property, both real and personal, of a state bank is subject to taxation. Bank officers must make a sworn statement of shareholders and their holdings, and shares must also be listed by the shareholder. Shares are taxed, however, only for the difference between the actual cash value and the proportionate amount per share at which the real estate of the bank is assessed. Taxes upon the shares assessed against the shareholder, if not paid by the shareholder, become a lien upon the property of the banking corporation. Deposits are deducted from assets.

The railroad track and all the property of railroads that is located in organized counties, except the rolling stock, is to be assessed in the counties and incorporated towns and cities, like the property of individuals. But all railroad property, including the roadbed, in unorganized counties, must be listed with the comptroller of public accounts. Rolling stock is assessed by the assessor of the county in which the company's principal office is located. The assessment is then revised by the board of equalization of that county and apportioned by the comptroller of public accounts to the several counties in proportion to the distance that the road runs therein, and listed on the assessment roll as other personal property.

The value of the franchises and of the intangible personal property of all railroads is assessed by the state tax board and apportioned to the counties on a mileage basis. The valuation is determined by ascertaining, first, the value of the entire property, by reference to the market value of the stock and of the bonds, and then deducting therefrom the value of the tangible property as assessed for purposes of taxation. The valuation so fixed is to be entered by the assessors on their rolls and can not be changed by the county boards of equalization. This method of taxation, which greatly increased the taxes on railroads, was adopted in its final form in 1907.

Collectors of taxes of counties, cities, and towns are authorized to make up a supplemental roll of unlisted property which they discover during collection, and they receive a commission of 4 per cent on property so assessed.

Assessors are compensated by commissions of from 1/10 to 5 cents on each $100 of property assessed, one-half paid by the state and one-half by the county.

c. Equalization.—The county boards of equalization correct errors in the assessment lists and equalize the valuations between individuals. They can only act on matters of valuation, and the valuation fixed by them is final.

There is no state board of equalization and little central or supervisory control for the enforcement of uniform valuation between the counties.

No board has authority to equalize taxable values between counties.

2. *Rate—*

The rate for general purposes and for the support of the free public schools is determined each year by the state tax board, and must be such as will raise the amounts appropriated.

3. *Collection—*

In general, taxes for the state and county are collected by the county tax collector. Taxes are due on the 1st of October, and the tax collector or his deputies attend at appointed places to receive payment. Taxes are delinquent on the last day of December, and forced collections are to begin thereafter by levy and sale of personal property, but if no such property is found, a list of delinquent lands and lots is to be made up between April 1 and 15, the sale of which is advertised and enforced by suit. All property is thus liable for taxes and may be levied on and sold, and taxes on real property are a lien thereon, which is superior to assignment, attachment, inheritance, or devise.

If taxes are not paid by January 31, a penalty of 10 per cent on the entire amount of such taxes accrues,

to be paid, when collected, proportionately to state and county.

Taxes on lands of nonresidents in unorganized counties are to be paid at the office of the comptroller of public accounts, who may enforce collection.

Special provisions are made for the assessment and collection of back taxes on lands not rendered or assessed since 1870.

Collectors are compensated by commissions on the amounts collected.

B. POLL TAXES.

Every male person between the ages of 21 and 60 years, resident within the state on January 1, is required to pay an annual poll tax of $1.50, $1 being for the benefit of free schools and 50 cents for general revenue purposes. Indians not taxed, and insane, blind, and deaf and dumb persons, and those who have lost one hand or foot, are exempted.

C. THE INHERITANCE TAX.

All property within the jurisdiction of this state, whether belonging to inhabitants of the state of not, which shall pass by will, or the laws of descent, or by deed, grant, sale or gift intended to take effect after the death of the grantor or donor, except to the father, mother, husband, wife or direct lineal descendant of the deceased, or to any public corporation or charitable, educational or religious organization to be used for charitable, educational or religious purposes within this state, is subject to a tax for the benefit of the state at the following rates:

(1) Passing to a lineal ascendant or a brother or sister, or a lineal descendant of a brother or sister, the rate is 2 per cent on any value in excess of $2,000 and up to $10,000; 2½ per cent on any value in excess of $10,000 and up to $25,000; 3 per cent in excess of $25,000 and up to $50,000; 3½ per cent in excess of $50,000 and up to $100,000; 4 per cent in excess of $100,000 and up to $500,000; 5 per cent on all in excess of $500,000.

(2) Passing to an uncle or aunt, or a lineal descendant of an uncle or aunt, the rate is 3 per cent on any value in excess of $1,000 and up to $10,000; in excess of $10,000 and up to $25,000, 4 per cent; in excess of $25,000 and up to $50,000, 5 per cent; in excess of $50,000 and up to $100,000, 6 per cent; in excess of $100,000 and up to $500,000, 7 per cent; on all in excess of $500,000, 8 per cent.

(3) Passing to any other person, natural or artificial, the rate is 4 per cent on any value in excess of $500 and up to $10,000; in excess of $10,000 and up to $25,000, 5½ per cent; in excess of $25,000 and up to $50,000, 7 per cent; in excess of $50,000 and up to $100,000, 8½ per cent; in excess of $100,000 and up to $500,000, 10 per cent; on all in excess of $500,000, 12 per cent.

The tax is assessed upon the actual or market value of the property, and the court may appoint two appraisers to fix such value. If not paid within six months after the death of the decedent, the tax bears interest from such death until paid.

D. CORPORATION TAXES.

Corporations are, in general, taxed under the general property tax above described. There are, in addition, the folowing so-called "occupation" taxes:

Every domestic corporation chartered under the laws of the state is required to pay an annnal franchise tax of not less than $10, computed as follows: Fifty cents on each $1,000 or fraction thereof of authorized capital stock up to $1,000,000; 25 cents on each $1,000 in excess of $1,000,000.

When the aggregate amount of the capital stock issued, plus the surplus and undivided profits of the corporation, exceeds the authorized capital stock, the franchise tax shall be compnted npon the basis of such aggregate amount.

Each foreign corporation obtaining permit to do business in the state shall pay fees as follows: Fifty dollars for first $10,000 of authorized capital stock; $10 for each additional $10,000 or fraction thereof.

Corporations engaged in mannfacture, sale, rental, lease, or operation of all kinds of cars, or in conducting, operating, or managing any telegraph lines shall in no event pay more than $10,000; mntual bnilding and loan companies, whose stock is withdrawable, shall pay a fee of $50 for first $100,000 or fractional part thereof and $10 for each additional $100,000 or fractional part, with a minimum fee of $250 and maximum of $1,000. For failnre to pay the tax when due a penalty of 25 per cent is added, and if not paid by July 1 following the corporation forfeits its right to do business in the state.

Foreign bnilding and loan companies shall pay not less than $250 and not more than $1,000.

Exempt from the franchise tax are insurance companies, transportation companies, and car companies which pay the annual tax on gross receipts. Corporations for pnblic purposes and religious worship, for agricultural fairs and the encouragement of agriculture, for educational purposes and public charity, and cemeteries not for private profit, and water users associations incorporated to aid people in arid sections are excepted from charter fee and franchise taxes.

Certain pnblic service corporations are required to make annual reports to the comptroller of public accounts, and on the basis of these reports are taxed on their gross receipts within the state at the following rates, payable quarterly unless otherwise specified:

Express companies, 2½ per cent of their gross receipts, payable annually.

Telegraph companies, 2½ per cent.

Gas, electric light, electric power, and waterworks companies, in cities of 10,000 to 25,000 inhabitants, one-fourth of 1 per cent; in cities of 25,000 or more, one-half of 1 per cent.

Collecting and commercial agencies, one-half of 1 per cent.

Stock, refrigerator, fruit, and other car companies, 3 per cent of their gross receipts.

Pipe-line companies, 2 per cent.

Domestic life insurance companies pay 3 per cent of their gross preminm receipts (provided that if any life insurance company has one-fourth of its entire assets invested within the state, the tax shall be 1 per cent of the gross preminm receipts; if one-half of its entire assets invested within the state, the tax shall be one-half of 1 per cent).

Life insurance companies not organized under laws of Texas, pay 3 per cent of gross premium receipts (provided, if any such company has 30 per cent of its total reserves invested in promissory notes or other obligations secured by mortgage, deed of trust, or other lien on Texas real estate, the rate shall be rednced to 2⅘ per cent; if 60 per cent, the rate shall be 2⅖ per cent; if 75 per cent the tax shall be 2 per cent). No other occupation tax shall be paid to either state, county, city, or town. All life insurance companies, both foreign and domestic, are required to invest 75 per cent of the amount of their Texas reserves, as required by law (if exceeding $5,000), in Texas securities; such securities being bonds of the state and minor civil divisions and mortgages on real estate situated within the state.

Wholesale dealers in coal oil, naphtha, benzine, or any other mineral oils, 2 per cent of their gross receipts.

Interurban, trolley, traction, or electric street railway, in or connecting with cities of less than 20,000 inhabitants, one-half of 1 per cent of the gross receipts; in cities of more than 20,000, three-fourths of 1 per cent. This provision does not apply to a street railway or traction company wholly within any town of less than 10,000 inhabitants.

Wholesale dealers in spirituous, vinous, or malt liquors, one-half of 1 per cent of gross receipts from sales.

Textbook and law book publishers, 1 per cent of gross receipts.

Telephone companies, 1½ per cent.

Oil wells, one-half of 1 per cent of all oil produced at the average market value thereof.

Terminal companies, 1 per cent.

These taxes are paid to the state treasurer. A penalty of 10 per cent is added for failure to pay within 30 days after the tax becomes due.

Sleeping, palace, and dining car companies pay a tax of 5 per cent of their gross receipts from all sources whatever within the state, except from the buffet service. This tax is in lieu of all other taxes upon such car companies, except a tax of one-fourth of 1 per cent on the value of their capital stock in use in the state, based on reports to the comptroller, being that proportion of the whole capital stock after deducting the amount invested in real estate, manufacturing plant, materials, and properties other than sleeping, palace, and dining cars and equipments, that the miles in the state bear to the total mileage.

Persons or corporations taxed as above are exempt from the tax on intangible assets.

Corporations paying the state and county taxes npon their intangible properties are relieved from liability for the payment of all occupation taxes measured by gross receipts.

Printers' mutual fire and storm, and all mutual fire and tornado insurance companies which transact business in only one county shall pay annually to the insurance commissioner as a fee for filing annual report $5, and such association shall not pay any franchise or other tax.

Every mutual fire, storm, and lightning insurance company shall pay annually to the insurance commissioner one-half of 1 per cent of all gross premiums received, and no other tax shall be required of such mutual insurance companies.

E. BUSINESS TAXES, LICENSES, AND FEES.

There is an elaborate system of taxes on occupations, or privilege taxes, levied on every person, firm, company, or association of persons pursuing certain occupations, on every such occupation or separate establishment.

Corporations or persons dealing in firearms pay a tax of 50 per cent on gross receipts. (This tax is evaded by dealers who lease the firearms for a period of 99 years.)

Selling cannon crackers, $500 per annum; foot peddlers, $5; peddlers with one horse or pair of oxen, $7.50; two horses or two pair of oxen, $10; peddlers with boats, $10 for each county in which they peddle, disabled ex-Confederate and ex-Federal soldiers exempt; wholesale dealers in fish and oysters, $2.50 for each 10,000 pounds of fish and $1 for each 1,000 barrels of oysters bought by him during the year previous. Peddlers of clocks, cooking stoves, wagons, carriages, etc., washing machines, and churns, $250 for the state and $100 in each county. Peddlers of patent medicines, $100. This tax does not apply to agents of wholesale dealers. Auctioneers, $10; ship brokers, $10; commission men, $10; traveling physician, surgeon, oculist, or medical, or other specialist, $50; local physicians, $5; shooting galleries, in each county, $30; knife, cane, and doll racks, $25; billiard tables (used for profit), $20; pools on horse races, $5 per day; 9 or 10 pin alleys, $100; hobbyhorses or flying jennies, $15.

Theaters.—For every theatrical or dramatic representation in cities of under 1,500 inhabitants, $1 per day; 1,500 to 3,000, $2 per day; 3,000 to 5,000, $3 per day; 5,000 to 10,000, $4 per day; 10,000 or over, $5 per day; provided that this tax shall not be collected where the performances are exhibited in regularly recognized opera houses or theaters, but in lieu of such tax the managers of said opera houses and theaters pay an annual occupation tax of $25. Merchants removing from place to place and offering for sale "bankrupt stock," "fire sale," etc., first month, $100; subsequent months, each, $20; if business is to continue 6 months, each $10; if business is to continue 12 months, in addition to $100 the sum required of regular merchants.

Circus or wild west show.—Admission 75 cents for each exhibition, $225; 50 to 75 cents, $200; 50 cents or less, $150.

Fortune tellers, clairvoyants, and mesmerists, for each county, $10; sleight of hand, $25; dog fights, $500; cockpits, $50; concerts, $2 for each performance; insurance adjusters and agents, annual tax, $50; lightning rod agents—to state, $100; to county, $50; dealers—to state, $36; county, $18. Cotton brokers—city of 10,000 inhabitants and over, $35; less than 10,000, $18. Pawnbrokers, $150. Sewing machine agencies—to state, $15; to county, $7. Loan agents—to state, $150; to county, $15. Credit agencies (no county, city, or town tax), $300; skating rinks, $25; baseball parks, in towns of 5,000 inhabitants or more, $25; ice dealers—city of 20,000 inhabitants or more $50; 10,000 to 20,000, $30; 5,000 to 10,000, $20; less than 5,000, $10. Race tracks—1 mile, $100; one-half mile, $50. Phonographs, etc., where fee is charged, $25; kinetoscopes and cinematographs, $25; panoramas—state, $10; county, $2. Exhibitions for sale of medicines—to state, $50; per exhibition, to the county, $2.50. Commission merchants—city of 10,000 inhabitants or over, $50; less than 10,000, $25. Cigarette dealers, $10 per annum. Persons engaged in traffic in unearned wages of others, $5,000 (county may levy tax equal to one-half of state tax).

Liquors.—Retail dealers, selling in quantities of 1 gallon or less, $375; wholesale dealers, selling in quantities of 1 gallon or more, $375; dealers selling malt liquors exclusively, $62.50. Each office where shipments of liquors are delivered C. O. D., state, $5,000 per annum.

Persons selling at retail nonintoxicating malt liquors in counties, justices' precincts, cities, or towns where the sale of intoxicating liquors is prohibited shall pay an annual state tax of $2,000, and the counties, cities, or towns may levy a further tax of not to exceed $1,000.

Selling or offering for sale, and (or) soliciting orders for intoxicating liquors in such territory, state tax, $4,000, local tax not to exceed $2,000. "Cold storage" of liquors belonging to others, $2,000 and not to exceed $1,000 for the local districts.

These taxes are to be paid not less than three months before the occupation begins; all arrearages of taxes are a lien upon all the stock and fixtures used in the business which may be foreclosed by sale.

Secretary of state.—Charters and amendments of railroads, telegraph lines, street railways, and express companies, recording under $100,000 capital, $200; for each additional $1,000 of capital, 50 cents; charters and amendments of corporations for religious, benevolent, charitable, educational, missionary, literary or scientific library, fine arts, public parks, and public cemetery purposes, encouragement of agriculture or horticulture, $10; corporations for other purposes, $50 for first $10,000 of capital; for each additional $10,000, $10; commissions, official certificates, remission of fines, $1; warrant of requisition, $2; charters of channel and dock corporations, $200; foreign corporations, capital stock less than $10,000, $50; for each additional $10,000, $10; copies of documents, 15 cents for each 100 words.

Commissioner of insurance and banking.—Filing charter of insurance company, $25; annual statement or certificate, $20; certificate of authority, $1; valuing policies of life insurance companies, for each $1,000,000 of insurance, $10. Filing charter of casualty, life, accident, and health companies, $20; annual statement, $10; certificate of authority, $1. Cooperative life insurance company, annual statement, $10; certificate of authority, $1. Mutual fire, lightning, hail, and storm companies, charter fee, $20; license or renewal, $1; filing annual statement, $10.

Different boards.—Dentists, license, $2; certificate, $10; pharmacists, examination and registration, $5; physicians, examination, $15; veterinary, license, $5.

State chemist to be paid a fee or tax of 25 cents per ton (2,000 pounds) for inspection of commercial fertilizer, payable to the Agricultural and Mechanical College of Texas.

F. THE INCOME TAX.

There is no income tax in Texas.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property included and the methods of assessment and of equalization are the same for county as for state taxes.

2. *Rate*—

The commissioners' courts of the several counties have power to levy for county revenue purposes a tax not to exceed 25 cents on each $100 valuation; for roads and bridges, 15 cents on each $100; for the payment of debts, erection of public buildings, and other permanent improvements, 25 cents on each $100; improvements of public roads, 15 cents (on property subject thereto); and for free public schools and school buildings by vote of the taxpayers, 20 cents on each $100.

3. *Collection*—

Same as for state taxes.

B. POLL TAXES.

No county is to levy more than 25 cents as a poll tax for county purposes. Persons subject to the tax are the same as for state poll taxes.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no inheritance or special corporation taxes for the county.

E. BUSINESS TAXES, LICENSES, AND FEES.

Commissioners' courts of the several counties have, in general, the power to levy one-half the occupation tax levied by the state upon all occupations not specially exempted or provided for otherwise, and including the sale of liquors.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base*—

The property, real and personal, within the municipality, subject to taxation by the laws of the state, may be taxed by cities and towns. The city council has power to provide by ordinance for the assessment thereof. There are municipal boards of equalization.

2. *Rate*—

The city council or board of aldermen of any city or town has power by ordinance to levy a tax, not exceeding one-fourth of 1 per cent, on the assessed value; also 25 cents on each $100 for improvements and construction or purchase of public property, and 15 cents on each $100 for roads, bridges, and streets.

3. *Collection*—

Collection is to be provided for by ordinance. There are statutory provisions also, analogous to those for collection of state and county taxes.

B. POLL TAXES.

Cities may levy an annual poll tax not to exceed $1 on every male inhabitant over the age of 21 years (idiots and lunatics excepted) who is a resident thereof.

All males not exempt are required to work on the roads in rural districts or, in lieu thereof, to pay $3 per annum.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no municipal inheritance or special corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

The mayor and board of aldermen of any incorporated town or city may levy one-half of the occupation tax levied by the state on all occupations not specially exempted or otherwise provided for, and they have the same power to levy taxes on occupations and the sale of liquors as the county commissioners' court.

School Revenues.

The constitution provides that one-fourth of the revenue derived from the state occupation taxes and a poll tax of $1 are to be set apart annually for the support of free public schools; and in addition there is to be levied an annual ad valorem state tax of not to exceed 20 cents on $100, sufficient, with the available school fund arising from other sources, to support free public schools for not less than six months in each year.

Counties are to be subdivided into school districts, and the commissioners' courts of the several counties may levy a special tax of not to exceed 50 cents on $100, provided it is authorized by vote of the taxpayers of the district.

The constitution establishes a permanent school fund from the proceeds of the sale of public land and from other sources, and the interest derived therefrom and the school taxes make up the available school fund, which is apportioned to the several counties of the state according to the school population of each.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

The state fire insurance commission was created to consist of the commissioner of insurance and banking and two members appointed by the governor for a term of two years (one retiring each year). This commission has general supervision over the fire insurance business of the state. For its support all fire insurance companies pay a tax of 1½ per cent of their gross premium.

The buildings and grounds of Young Men's and Young Women's Christian Associations, used exclusively for the purpose of furthering of religious work, and the books and furniture contained therein were exempted from taxation.

Wholesale liquor dealers were required to pay an occupation tax of ½ of 1 per cent quarterly of the gross receipts for the preceding quarter.

The organization of mutual hail insurance companies was authorized upon the payment of the following fees: Application fee, $25; charter fee, $25; for filing annual statement, $5; certificate of authority, $1. In addition to these fees such companies pay an annual franchise tax of $50.

The organization of mutual fire, lightning, and storm insurance companies was authorized upon the payment of the following fees: Application fee, $1; charter fee, $20; for filing annual statement, $10; for each license or renewal, $1. They also pay a tax of ½ of 1 per cent on all net premiums or assessments received during the year, in lieu of all other taxes.

A "Blue Sky" law governing investment companies was enacted and certain fees, etc., provided for. The organization of building and loan associations was provided for with an annual franchise tax of $10, and fees for annual examinations amounting to $\frac{1}{5}$ of 1 per cent of the gross assets; this is not to be less than $20 nor more than $100.

(Effective July 1, 1913.)—Permanent free school, university, asylum, or other funds are to be credited with revenue derived from rents and royalties upon gross output of any minerals or mineral product mined or taken from all school or other public land of the state.

UTAH.[1]

Utah derives its revenues from a direct tax levied against all the assessed property in the state, from fees from state officers, fines and forfeitures, and from inheritance, insurance, and special corporation taxes. Poll taxes and licenses are used as sources of county and municipal revenues.

CONSTITUTIONAL PROVISIONS.

ARTICLE XIII.

SEC. 2. All property in the state not exempt under the laws of the United States or under this constitution shall be taxed in proportion to its value, to be ascertained as provided by law. The word "property," as used in this article, is hereby declared to include moneys, credits, bonds, stocks, franchises, and all matters and things (real, personal, and mixed) capable of private ownership; but this shall not be so construed as to authorize the taxation of the stocks of any company or corporation, when the property of such company or corporation represented by such stocks has been taxed. The legislature shall provide by law for an annual tax sufficient, with other sources of revenue, to defray the estimated ordinary expenses of the state for each fiscal year. For the purpose of paying the state debt, if any there be, the legislature shall provide for levying a tax annually, sufficient to pay the annual interest and principal of such debt within 20 years from the final passage of the law creating the debt.

SEC. 3. The legislature shall provide by law a uniform and equal rate of assessment and taxation on all property in the state, according to its value in money, and shall prescribe by general law such regulations as shall secure a just valuation for taxation of all property; so that every person and corporation shall pay a tax in proportion to the value of his, her, or its property: *Provided*, That a deduction of debits from credits may be authorized: *Provided further*, That the property of the United States, of the state, counties, cities, towns, school districts, municipal corporations and public libraries, lots with the buildings thereon used exclusively for either religious worship or charitable purposes, and places of burial not held or used for private or corporate benefit, shall be exempt from taxation. Ditches, canals, reservoirs, pipes, and flumes owned and used by individuals or corporations for irrigating lands owned by such individuals or corporations, or the individual members thereof, shall not be separately taxed as long as they shall be owned and used exclusively for such purpose: *Provided further*, That mortgages upon both real and personal property shall be exempt from taxation: *Provided further*, That the taxes of the indigent poor may be remitted or abated at such time and in such manner as may be provided by law.

SEC. 4. All mines and mining claims, both placer and rock in place, containing or bearing gold, silver, copper, lead, coal, or other valuable mineral deposits, after purchase thereof from the United States, shall be taxed at the price paid the United States therefor, unless the surface ground or some part thereof of such mine or claim is used for other than mining purposes, and has a separate and independent value for such other purposes, in which case said surface ground, or any part thereof, so used for other than mining purposes, shall be taxed at its value for such other purposes as provided by law; and all the machinery used in mining, and all property and surface improvements upon, or appurtenant to, mines and mining claims, which have a value separate and independent

[1] This compilation is derived mainly from the following sources:
The compiled laws of Utah, in force January 1, 1908. Published by authority of the legislature, by James T. Hammond and Grant H. Smith, code commissioners.
The Session Laws to 1913 inclusive.

of such mines or mining claims, and the net annual proceeds of all mines and mining claims shall be taxed as provided by law.

SEC. 5. The legislature shall not impose taxes for the purpose of any county, city, town, or other municipal corporation, but may by law vest in the corporate authorities thereof, respectively, the power to assess and collect taxes for all purposes of such corporation.

SEC. 7. The rate of taxation on property, for state purposes, shall never exceed 8 mills on each dollar of valuation; and whenever the taxable property within the state shall amount to $200,000,000 the rate shall not exceed 5 mills on each dollar of valuation; and whenever the taxable property within the state shall amount to $300,000,000 the rate shall never thereafter exceed 4 mills on each dollar of valuation, unless a proposition to increase such rate, specifying the rate proposed and the time during which the same shall be levied, be first submitted to a vote of such of the qualified electors of the state as, in the year next preceding such election, shall have paid a property tax assessed to them within the state, and the majority of those voting thereon shall vote in favor thereof in such manner as may be provided by law.

SEC. 10. All corporations or persons in this state, or doing business herein, shall be subject to taxation for state, county, school, municipal, or other purposes on the real and personal property owned or used by them within the territorial limits of the authority levying the tax.

SEC. 11. Until otherwise provided by law, there shall be a state board of equalization, consisting of the governor, state auditor, state treasurer, secretary of state, and attorney general; also, in each county of this state a county board of equalization, consisting of the board of county commissioners of said county. The duty of the state board of equalization shall be to adjust and equalize the valuation of the real and personal property among the several counties of the state. The duty of the county boards of equalization shall be to adjust and equalize the valuation of the real and personal property within their respective counties. Each board shall also perform such other duties as may be prescribed by law.

SEC. 12. Nothing in this constitution shall be construed to prevent the legislature from providing a stamp tax, or a tax based on income, occupation, licenses, or franchises.

ARTICLE III.

Ordinance * * * the lands belonging to citizens of the United States residing without this state shall never be taxed at a higher rate than the lands belonging to residents of this state; nor shall taxes be imposed by this state on lands or property herein belonging to or which may hereafter be purchased by the United States or reserved for its use; but nothing in this ordinance shall preclude the state from taxing, as other lands are taxed, any lands owned or held by any Indian who has severed his tribal relations, and has obtained title thereto, unless exempted by act of Congress granting the same.

OFFICERS.

The officers most directly concerned with taxation are:

(1) County assessors, elected for a term of two years.

(2) County treasurer, elected for two years, who collects taxes.

(3) County board of equalization, composed of the board of county commissioners.

(4) State board of equalization of four members, appointed by the governor for a term of four years.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All property in the state, not exempt by law, is taxed in proportion to its value. Property includes moneys, credits, bonds, stocks, franchises, and all other matters, real, personal, and mixed, capable of private ownership; but the stocks of any company or corporation, which is taxed on the property represented by the stock, are not taxed.

(1) Real estate includes the possession, claim to, ownership of, or right to land; all mines, minerals, and quarries in and under land; all timber belonging to individuals or corporations and growing on the lands of the state or the United States, and all rights and privileges appertaining thereto; improvements, buildings, and fixtures on land, whether title has been acquired or not.

(2) Personal property includes everything that is the subject of ownership not included within the meaning of the terms "real estate" and "improvements."

(3) Exemptions, in addition to public property, are: Public libraries; churches; cemeteries not held for private or corporate benefit; property used for charitable purposes; ditches, canals, flumes, and pumping plants used for irrigating lands of the owners; and mortgages on both real and personal property.

b. Assessment.—There is one assessment list for state, county, and municipal purposes. The assessment is made annually by the county assessor on the basis of sworn statements, which he may require the taxpayers to furnish, in regard to the amount and value of their property on the 1st day of January. Any person, after demand by the assessor, refusing to make the sworn statement as to his property or to appear and be examined, forfeits to the county $100 for each refusal and loses his standing before the county commissioners to secure a reduction of his assessment. All taxable property is required to be assessed after actual inspection by the assessor at its full cash value, the amount at which the property would be taken in payment of a just debt due from a solvent debtor.

Land and improvements thereon are assessed separately.

Bank stock, state and national, is assessed where the bank is located, on the basis of a verified statement by the cashier. Real estate is assessed to the bank and the proportionate value is deducted in the assessment of the stock. The bank pays the tax and has a lien on the shares therefor. The shares of stock of national banks located without the state, but owned by residents of the state, are not subject to taxation.

Private bankers, brokers, and foreign banks are assessed on the average balance of credits over liabilities for the 90 days preceding the verified statement of the condition of the business required.

Every person is entitled to deduct from the gross amount of credits the amount of all bona fide debts owing by him, except insurance premium notes, unpaid subscriptions to any institution or society, or to the capital stock of any corporation, and suretyship obligations.

The capital stock and franchises of corporations are to be listed and taxed where the principal office is located. But the stocks of any company or corporation which is taxed on the property represented by the stock are not taxed.

All property and franchises, except those derived from the United States, owned by railroad, street railway, car, telegraph, telephone, electric light, pipe-line, power, canal, irrigating, and express companies operating in more than one county are assessed by the state board of equalization, and apportioned to each county in which they are located. The assessment of railroads, street railroads, telegraph, telephone, electric light, pipe-line, power, canal, irrigating, and express companies' rights of way, track, and other real property other than franchise and rolling stock, is apportioned in proportion to the value thereof in each county; that of the rolling stock and franchises of railroad companies according to mileage by the unit rule. The board of county commissioners apportions the assessment to the several cities, towns, school, road, or other taxing districts.

Mines are assessed on their net proceeds on the basis of verified statements by the producer, of which the record is kept in a special assessment book for mines. The assessment is apportioned to the county in which the mines are situated. The net annual proceeds of coke, bullion, and matte made from untaxed coal and ore is deemed a product of mines and taxed as personal property.

Improvements, buildings, erections, structures, and machinery of mines or mining claims which have a value independent of such mine, or supplies used in mills, reduction works, or mines are to be assessed as other property. Net proceeds and improvements, etc., are assessed by the state board of equalization.

All stock brought into the state by nonresidents for the purpose of being grazed and all stock removed from one county to another for the purpose of being grazed any length of time exceeding 20 days is transient stock. The tax on transient stock owned by residents is paid in the county where owned. When the stock is brought into the state, nonresidents pay the regular annual tax as on property permanently located in the state, for that portion of the year that such stock grazed or ranged in the state, provided that proof is made that such stock was taxed in some other state. The tax is collected in the county in which the stock is first found after January 1. The fund so collected is apportioned to the several revenue districts in the county. All district school funds received under this act are apportioned to the several school districts as the county school fund is apportioned.

A tax of 4 mills on the dollar on the value of all sheep and goats, and 2 mills on the dollar on that of all horses and cattle, except horses and cattle in incorporated cities, is levied by the board of county commissioners for the benefit of the state bounty fund, for the destruction of certain wild animals.

The state road commission may require counties of an assessed valuation under $2,000,000 to duplicate one-fourth of the amount of the state road fund available for use in said county; counties of more than $2,000,000 and less than $4,000,000 assessed valuation to duplicate one-half the amount; and counties of more than $4,000,000 assessed valuation to duplicate the full amount.

c. Equalization.—The county board of equalization equalizes between individuals and may abate the taxes of any insane, idiotic, infirm, or indigent person to an amount not exceeding $10, may enter omitted property, and correct false or incomplete assessments.

The state board of equalization equalizes the assessed value of property between the different counties and between the different classes of property throughout the state.

2. *Rate—*

The state board of equalization determines the rate of state tax, which, after allowing 10 per cent of the proceeds for delinquencies and cost of collection, must be sufficient to raise the revenue required.

This rate, however, as limited by the constitution, is never to exceed 8 mills on each dollar of valuation; whenever the taxable property in the state amounts to $200,000,000, the rate is not to exceed 5 mills, and whenever it amounts to $300,000,000, it is not to exceed 4 mills, unless by vote of the electors of the state who pay a property tax.

There was directed to be raised for general state purposes in the fiscal years of 1911 and 1912 an ad valorem tax of 4 mills on the dollar, or such portion as the board of equalization should find necessary to raise $950,000 for each year. In addition to the levy for general purposes the state levies annually a tax of 3 mills for common schools and a tax of one-half mill for high schools.

3. *Collection—*

Collection is made by the county treasurer, and notice of the amount of tax and of the time and place where payable is given by mail to the taxpayers. Taxes on personal property are a lien on the real property of the owner; those on real property, on the property assessed; and those on improvements, on the land and improvements, though assessed to others than the owners of the real estate; and the several liens attach as of the 1st day of January. Taxes fall due on the first Monday of September and become delinquent on the 15th of November. Delinquent taxes on personal property, except when real estate is liable therefor, may be collected by seizure and sale. The delinquent tax list is published on or before the first Monday of December, and the real property is sold on the third Monday of December.

Taxes on railroads and street railway, depot, telegraph, and telephone companies assessed by the state board of equalization are collected in the same manner as other taxes; but for taxes on car companies the secretary of the state board of equalization is made collector and remits to the state treasurer and to the county, city, town, school, and other taxing districts the sums due each district. He is authorized to enforce collection after the manner of the county treasurer.

B. POLL TAXES.

There are no state poll taxes.

C. THE INHERITANCE TAX.

All property within the jurisdiction of this state and any interest therein, whether belonging to inhabitants of the state or not, which shall pass by will or the intestate laws of this or any other state or by deed, grant, sale, or gift, made or intended to take

effect after the death of the grantor or donor, to any person in trust or otherwise, shall be subject to a tax of 5 per cent of its clear market value above the sum of $10,000. The amount of tax to be paid by the several heirs is determined by the court.

In each county the court annually appoints three competent residents and freeholders of said county to act as appraisers of all property within its jurisdiction, subject to an inheritance tax. This property must be appraised within 30 days after the appointment of an executor, administrator, or trustee, unless a longer period is fixed by the court.

All taxes under this law are payable to the state treasurer for the use of the state and shall be paid within 15 months from the death of the decedent. If not paid within 15 months, interest shall be charged at the rate of 8 per cent per annum until paid.

There are no exemptions from the inheritance tax in the state of Utah.

D. CORPORATION TAXES.

In general, corporations are taxed under the general property tax.

All corporations, except those not organized for pecuniary profit, and those organized for religious, charitable, benevolent, or educational purposes, private water corporations for culinary purposes and furnishing water to members of such corporations, and all canal and irrigation corporations, all water users' associations, and all insurance corporations, are required to pay an annual state license tax as follows: Corporations with an authorized capital stock of $10,000 or less, $5; more than $10,000 and not more than $25,000, $10; more than $25,000 and not more than $50,000, $15; more than $50,000 and not more than $75,000, $20; more than $75,000 and not more than $100,000, $25; more than $100,000 and not more than $150,000, $35; more than $150,000 and not more than $200,000, $40; over $200,000, $50. There is a penalty of $10 for refusal or neglect to pay the license by December 15, and forfeiture of charter if not paid by the first Monday in April following.

All insurance companies transacting business in the state pay annually to the commissioner of insurance 1½ per cent of the gross premiums received, less the amount of all premiums returned. All property taxes paid are deducted. No other taxes or fees are required.

E. BUSINESS TAXES, LICENSES, AND FEES.

Secretary of state.—For certificate and affixing seal of state, $1; filing original or certified copies of articles of incorporation, per $1,000 of capital stock, 25 cents (these fees apply to foreign and domestic corporations; same fees charged for amendments increasing capital stock); filing other amendments to articles, $5; articles of incorporation and by-laws of foreign corporation other than noted above, $25; certificate of incorporation, $5; certificate of compliance by foreign corporation, $5; issuing certificate of corporation not organized for pecuniary profit, $1; certificate of amendment to articles of incorporation not for pecuniary profit, $1; commissions by governor, $5; filing trade-marks, $3; appointment of resident process attorney by foreign corporations, $1; annual statement, building and loan association, $5; annual statement, certified copy, $2; certificate of authority, $3; filing and certifying private banker's preliminary statement, $25; quarterly statement of each bank, $5; filing acceptance of provisions of constitution by corporations and issuing certificate, $3; warrant of arrest upon requisition of other states, $5; filing papers generally, $5; copies of papers, per folio, 15 cents; recording, per folio, 20 cents; for searching records and archives of state, $1. Chauffeur's fee, $2; motor vehicles, $2.

For filing mark or marks of ownership to be used in marking, stamping, or branding cans, bottles, etc., $2.

The state auditor, the clerk of the supreme court, and the board of land commissioners collect certain fees.

Insurance department.—Every insurance company shall pay the following fees: Filing statement for admission (foreign companies), $50; filing certified copy of acceptance, by foreign companies, of provisions of state constitution, $3; filing power of attorney, $1; filing articles of incorporation and by-laws of foreign companies, and examination thereof, $25; amendments, foreign companies, $5; filing annual statement, $50; certificate of authority, $5; certificate of authority for agents and solicitors, $2; preparing synopsis of annual statement for publication, $5; each copy of any papers filed, per folio, 20 cents; affixing seal, $1; filing annual statement of county mutual fire and lightning companies, $1. The commissioner of insurance collects from building and loan associations $10 for each day required to examine such company.

Fire insurance companies doing business in any incorporated city or town having a regularly organized fire department shall pay to the state commissioner of insurance 1 per cent of the amount of premiums collected on fire and lightning insurance within limits of each such city or town for the purpose of maintaining a firemen's fund.

Fraternal, religious, or benevolent societies pay an annual fee of $5. License for foreign fraternal insurance, $5, exempt from other taxes.

Bank commissioner.—Fee for annual examination of bank: When the aggregate assets are $100,000 or less, $25; more than $100,000 and not more than $300,000, $40; more than $300,000 and not more than $500,000, $50; more than $500,000 and not more than $1,000,000, $60; more than $1,000,000 and not more than $3,000,000, $75; more than $3,000,000 and not more than $10,000,000, $100; more than $10,000,000 and not more than $15,000,000, $150; more than $15,000,000 and not more than $25,000,000, $200; when more than $25,000,000, $250.

Accountants, examination, $25; annual license fee, $5.

Physicians and surgeons, examination, $25; obstetrics, $15; admission to practice from another state, $75.

Dentists, filing application for license and examination, $20; issuance of license, $5; certified copy of license, $2.50; license without examination, $25; certified transcript, per folio, 25 cents; certificate of character and attainments, $5; other certificates under seal, 50 cents; each annual license fee, $1.

Pharmacist, license, not exceeding $15; assistant, $5; license to pharmacist registered in another state, $25; assistant, $15; renewal of license for registered pharmacist, $2; for assistant pharmacist, $1.

The state board of veterinary medical examiners to practice veterinary medicine, surgery, and dentistry: Examination fee, $5; dues, $1 annually. These fees are applied to the veterinary fund.

The state board of horse commissioners—Examination of animal by inspector, $10; renewal license, $2; certificate transfer of ownership of animal, $2; duplicate certificate, $1. These fees are used to defray the expense of inspection.

The department of live stock: All cattle intended for breeding or dairy purposes are inspected before being admitted into the state or shipped out of the state; a fee of $5 is charged for inspection of first animal, and $1 for each additional animal.

The state dairy and food commissioner, who is ex-officio sealer of weights and measures, collects the following fees: For scales of 100 pounds capacity or less, 75 cents; 100 pounds and less than 600 pounds, $1; 600 pounds and less than 2,000 pounds, $1.50; 2,000 pounds or over, $2.50. For any nests or sets of measures, 75 cents; for any yardsticks, 25 cents.

Architects, examination, $15; license, $10; architects practicing in state before creation of the board, license, $10; county recorder's fee, $1; annual license fee, $5. Penalty of $5 for nonpayment of annual license fee.

The state engineer collects certain fees for irrigation and water rights, and pays same into the state treasury.

A fee of $1 is to be paid to the state recorder for each "mark or brand" recorded.

The state fish and game commission collects certain fees for licenses.

The county recorder collects certain fees.

The state horticultural commission collects a fee of $2.50 for license to sell nursery stock.

F. THE INCOME TAX.

There is no income tax in Utah.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the assessment and equalization thereof are the same for county as for state taxes.

2. *Rate—*

The board of county commissioners was authorized to levy for the fiscal years of 1911 and 1912 an ad valorem tax not to exceed 5 mills on the dollar for general purposes, and one not to exceed 4 mills on the dollar for county school purposes, and one not to exceed 1 mill on the dollar for the care and maintenance of indigent sick and otherwise dependent poor.

County commissioners may levy and collect a "special road district tax"; the amount to be assessed according to distance of property from proposed road, ranging from 20 per cent to 50 per cent of the value of said property. They may also levy a special road tax not to exceed 5 mills on the dollar when authorized by a majority of the property owners.

The board determines the rate of levy and collects the tax for irrigation districts.

The board of county commissioners is authorized to levy a special tax of not to exceed 2 cents on each $100 of taxable property for the purpose of creating a fund, not exceeding $5,000 in the year in any one county, to be used to maintain exhibits of the resources of the county at domestic or foreign expositions or fairs, and to encourage immigration and increase trade in the products of the state.

3. *Collection—*

Collection of county as of state taxes is made by the county treasurer.

B. POLL TAXES.

There is an annual road poll tax upon every man over 21 and under 50 years of age who is not physically incapacitated for work and not exempted by law. Honorably discharged soldiers, sailors, or marines, militiamen and regular volunteer unpaid firemen are exempt. The tax may be paid by two days' work of eight hours each, or in lieu thereof by a money payment of $3.

All money collected in lieu of labor, except such as is collected by incorporated cities and towns, is paid into the county treasury to be expended on the public highways. Collection is made by the road supervisors of the road district.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no county inheritance or corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

The board of county commissioners has power to license, for purposes of regulation and revenue, all and every kind of business, not prohibited by law, transacted in the county, and all shows, exhibitions, and lawful games carried on therein outside the limits of incorporated cities; to determine the rate of said license tax; and to provide for the collection thereof.

Liquor licenses, outside of cities and towns, are granted by the boards of county commissioners, who fix the amount to be paid within the following limits: Retail dealer, not less than $600 and not more than $2,000; wholesale dealer and distiller, not less than $400 and not more than $1,000; druggists or pharmacists, not less than $200 and not more than $600. Brewers, annual capacity 5,000 barrels, not less than $250; more than 5,000 and not more than 25,000 barrels, not less than $500; more than 25,000 and not more than 50,000 barrels, not less than $750; more than 50,000 and not more than 75,000 barrels, not less than $1,000; more than 75,000 barrels, not less than $1,250. Clubs, not less than $400 nor more than $2,000. License is paid to the treasurer of the county.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the assessment and equalization thereof are the same for city and town taxes as for state and county.

2. *Rate—*

The city council of each city or board of trustees of each town determines the rate of the general and special city or town taxes.

3. *Collection—*

The collection, as for state and county taxes, is by the county treasurer.

B. POLL TAXES.

In incorporated cities and towns poll taxes are collected and expended for highway purposes, as prescribed by ordinance, similarly to the county poll tax.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no municipal inheritance or corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

In cities the city council determines the amount, terms, and manner of issuing licenses for hawking, peddling, pawnbrokerage, loan agencies, employment agencies, the keeping of ordinaries, theatrical and other exhibitions, shows and amusements, and the business conducted by ticket scalpers, distillers, brewers, money changers, brokers, keepers of public scales, runners for stages, cars, public houses, banks, express companies, laundries, hackmen, storekeepers, and the various lines of business.

In towns the board of trustees has similar powers in respect to liquor and other licenses. License fees or taxes on any private corporation or business within the city are regulated by the city council.

City councils, or boards of trustees of the towns determine liquor licenses within the following limits:

Retail dealer, not less than $600 and not more than $2,000; wholesale dealer and distiller, not less than $400 and not more than $1,000; druggists or pharmacists, not less than $200 and not more than $600. Brewers, annual capacity 5,000 barrels, not less than $250; more than 5,000 and not more than 25,000 barrels, not less than $500; more than 25,000 and not more than 50,000 barrels, not less than $750; more than 50,000 and not more than 75,000 barrels, not less than $1,000; more than 75,000 barrels, not less than $1,250. Clubs, not less than $400 nor more than $2,000. License is paid to the treasurer of the city.

School Revenues.

The constitution establishes a school fund, which is apportioned to counties, from the proceeds of the sale of public lands granted by the United States and from other sources. The state school funds are further supplemented by a general tax levy of 3 mills.

The county commissioners, at the time of the annual levy of other county taxes, must levy a tax not to exceed 4 mills for school purposes.

When the state, county, and district school tax levies are insufficient for school purposes, after a levy of not to exceed 4 mills by the county commissioners and a tax of 5 mills by the school district trustees, the state appropriates the amount of the deficiency.

The county superintendent apportions the state and county school funds to the school districts of the county according to the number of school children residing in each district over 6 and under 18 years of age.

Special school taxes may be voted in the districts to purchase school sites, to erect buildings, or to pay current expenses, and to buy books, etc., for school libraries, in any sum not to exceed 2 per cent of all taxable property, on the basis of the county assessment. They are collected in the same manner as state and county taxes.

A tax of not to exceed 3 mills on the dollar may be collected, when properly voted by taxpayers, in cities of the third class, for public libraries, and not to exceed 4 mills on the dollar if a gymnasium is maintained in connection with the library.

County school districts of the first class are assessed a tax not to exceed 5½ mills on the dollar for support and maintenance of such schools, and not to exceed 1½ mills additional in one year to be used exclusively for the purchase of school sites and erection of buildings.

There is levied and collected annually a state tax of one-half mill on each dollar of taxable property for high school purposes.

High school districts may be created and one or more high schools maintained by a tax levy in such district not to exceed 5 mills on the dollar, if a majority of the qualified electors vote in favor thereof.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

The fees to be paid by banks to the bank commissioner were revised as follows: For the annual examination of savings banks and each semiannual examination of all other banks, when the aggregate assets are $100,000 or less, $20; over $100,000 and up to $300,000, $30; over $300,000 and up to $500,000, $35; over $500,000 and up to $1,000,000, $45; over $1,000,000 and up to $3,000,000, $55; over $3,000,000 and up to $10,000,000, $80; over $10,000,000 and up to $15,000,000, $100; over $15,000,000 and up to $25,000,000, $150; over $25,000,000, $200.

When the state road commission changes a county road into a state road with state aid, counties with an assessed valuation of less than $2,000,000 must raise an amount equal to one-quarter of that furnished by the state, those with an assessed valuation of from $2,000,000 to $4,000,000, one-half as much, and those with an assessed valuation of over $4,000,000 must duplicate the full amount apportioned from the state road fund. (Optional provision made mandatory.)

The boards of education in county school districts of the first class make an estimate of the money needed for all school purposes and county levies are made as follows: School districts having an assessed valuation of $10,000,000 or more, not to exceed 10 mills; having an assessed valuation of $8,000,000 to $10,000,000, 12 mills; $5,000,000 to $8,000,000, 13½ mills; less than $5,000,000, 15 mills. In cities of the first and second class having an assessed valuation of $10,000,000 or over, 6½ mills, and in cities of the second class having an assessed valuation of less than $10,000,000, 8 mills may be levied, of which at least 3 mills shall be used for the payment of teachers and 1½ mills for the purchase of school sites and the erection of school buildings.

Boards of county commissioners are to levy a tax of 5 mills on the assessed value on all sheep and goats and 4 mills on the assessed value of all range horses and cattle, the revenue to be placed in the state bounty fund to encourage the destruction of certain predatory wild animals. (Changed from 4 and 2 mills, respectively.)

The hunting and fishing license for aliens over 12 years of age was made $15.

Annual inspection fees for hotels were provided as follows: Hotels with less than 20 rooms, $2; with 20 and less than 50 rooms, $5; with 50 and less than 100 rooms, $10; with 100 rooms or more, $15.

VERMONT.[1]

Vermont's revenue system is that of a combined general property and poll tax, supplemented for state purposes by a series of special corporation taxes and an inheritance tax. The general property tax is in the main administered by the towns, and each town is held responsible in its corporate capacity for its share of state and county taxes.

The peculiar feature of the Vermont system is the "grand list." This was originally a list of polls, property, occupations, and incomes, each item being "set in the list" at an arbitrary valuation, the endeavor being made by these arbitrary values to represent the relative "faculty" or ability to pay taxes arising from each item. Eventually the endeavor was made to bring these arbitrary values into some relation to actual values. In so doing incomes and the valuations of different occupations were dropped and polls and property retained.

The listers of each town appraise property at its value and set the same in the grand list at 1 per cent of the appraisal. Polls are set in the grand list at $2.

The grand list is composed of these two items. State and municipal taxes are assessed on this grand list. State school and state highway taxes are annually paid by each town to the state treasurer, and are redistributed in a manner that is intended to relieve to some extent the tax burdens of the poorer towns. Public utility corporations, insurance companies, and savings banks and similar institutions are subject to the payment of taxes and fees to the state. For the last few years sufficient revenue has accrued to the state from these sources so that no direct state tax has been levied, excepting the school and highway taxes just mentioned. This results in a practical separation of the sources of state and municipal revenues.

CONSTITUTIONAL PROVISIONS.

ARTICLE IX.

CHAPTER I.

That every member of society hath a right to be protected in the enjoyment of life, liberty, and property, and therefore is bound to contribute his proportion toward the expense of that protection and yield his personal service, when necessary, or an equivalent thereto, but no part of any person's property can be justly taken from him or applied to public uses without his own consent or that of the representative body of freemen, nor can any man who is conscientiously scrupulous of bearing arms be justly compelled thereto, if he will pay such equivalent; * * * and previous to any law being made to raise a tax, the purpose for which it is to be raised ought to appear evident to the legislature to be of more service to the community than the money would be if not collected.

[1] This compilation is derived mainly from the following sources:
The Vermont Statutes of 1906.
The Session Laws, including 1912.
Report of the Taxation Commission: 1908.

CHAPTER II.

SEC. 9. (Provides that the quorum, ordinarily a majority, must be two-thirds of the representatives to pass a bill to raise a state tax.)

OFFICERS.

The officers most directly concerned with taxation are:

(1) The listers, town board of three, one elected each year. One or two more may be elected annually.

(2) A collector of taxes, if the town so orders, elected annually at town meeting in each town. If the town does not order the election of a tax collector, taxes are collected by the first constable.

(3) For each unorganized town and gore (sobrante), a supervisor and a collector of taxes, appointed biennially by the governor. One person may hold both offices.

(4) The board of civil authority, composed of the town clerk, selectmen, and justices, together with the listers, constitute a board for the abatement of town taxes.

(5) The commissioner of taxes, who administers the state taxes on corporations, and has general supervision of local taxation, appointed biennially by the governor.

State Revenues.

A AND B. GENERAL PROPERTY AND POLL TAXES.

The poll tax constitutes an integral part of the general property tax and can not be described separately. Polls are "set in the list" at $2 each—that is, given a valuation of $200 as though property.

1. *Base*—

a. The property and polls included and exempt.—The base is the so-called "grand list," composed of (*a*) the polls of all male inhabitants of the state over 21 and under 70 years of age, except honorably discharged soldiers of the War of the Rebellion, paupers, and members of the state militia and of fire companies if their towns so vote, which polls are "set in the list" at the arbitrary value of $2 each; (*b*) 1 per cent of the value in money on the 1st day of April in the year of their assessment of all real and personal estates, except such as are specifically exempt.

(1) Real estate is not specially defined for purposes of taxation, but engines and boilers, except railway and steamboat, kept or used for supplying power, electric motors, and other machinery used in manufacturing, mining rights in severance from surface ownership, buildings on leased land, and standing timber are "set in the list" as real estate.

When property is mortgaged the mortgagor is treated as the owner until after foreclosure.

(2) Personal estates are not specifically defined for purposes of taxation, but perpetual or redeemable leases are "set in the list" as personal property at a sum of which the rent is 6 per cent.

(3) Exemptions, in addition to all public property, are real estate of posts of Grand Army of the Republic; shares of stock in foreign corporations elsewhere taxed; personal estate of residents situated and taxed in another state; railroad stock; money loaned to towns, etc., at not over 4 per cent; all estates

for public, religious or charitable uses; public and free circulating libraries; lands leased by towns for educational purposes, and lands owned or leased by colleges, academies or other public schools, or leased by towns for the support of the Gospel; lands and property of agricultural societies used for fairs; normal schools and boarding houses used solely for pupils in such schools; real and personal property of college fraternities and societies, except property held for investment purposes; buildings owned and occupied by the Young Men's Christian Association; uncultivated lands planted with timber or forest trees exempt for 10 years; cemeteries; household furniture of every person to the value of $500; wearing apparel; private and professional libraries; mechanics' and farmers' tools; family provisions for one year; poultry to the value of $20; one watch, one organ or piano; sheep, cattle, horses, and swine, not over 4 months old, and hay and produce sufficient to winter out the stock; and for each person one wagon, one sleigh, and harness for same, not exceeding $100 in value. Manufacturing establishments (except pulp, lumber, and charcoal), quarries, and mines if amount invested exceeds $1,000, may be exempted for 10 years from commencement of business; property used for hotel purposes, and unoccupied farms reclaimed may be exempted for five years; real estate occupied as a homestead by honorably discharged soldier or sailor of the Civil War or his widow to the value of $500, provided the estate does not exceed $1,500; money loaned at 5 per cent or less evidenced by note or mortgage. There are also some exemptions by legislative contract not mentioned in the statutes, such as a part of the property of certain persons connected with institutions of learning.

The following polls are exempt: Actual poor, and persons applying for exemption who served in the War of the Rebellion.

b. Assessment.—This is called "listing." The valuations refer strictly to April 1 in each year. Only 1 per cent of all property is "set in the list."

Real estate is listed or appraised quadrennially (1910, 1914), the listing being completed by the fourth Tuesday in August. Real estate of railroads not used in operating the road is listed like other real estate. The quadrennial appraisal is corrected annually for alterations only.

Each taxpayer is required to furnish the listers a sworn inventory of his property subject to taxation, but the appraisal is made by the listers. The appraisal is to be "at such sum as they would appraise the same in payment of a just debt due from a solvent debtor."

Willfully omitting to make, swear to, and deliver an inventory or delivering a false inventory renders the taxpayer liable to double appraisal and deprives him of his right to have a hearing before the board of abatements.

Shares of stock in corporations, except those taxed by the state (see D, Corporation taxes), are to be set in the list, like other personal estate, to the owner, in the town where he resides, if he resides in the state; otherwise, in the town where the corporation has its place of business.

Standing timber sold without the land on which it stands is listed and taxed separately to the purchaser.

Motor or power boats valued at more than $100 are taxed on the 1st day of April, in the town where they were last kept.

c. Equalization.—There is no "equalization," so called, between individuals, but between April 25 and May 12 the board of abatements hears persons aggrieved by their appraisals, and may correct the list. Appeal lies to the board of civil authority and to the commissioner of taxes, who can appoint appraisers in the several counties to settle any complaints of taxpayers.

2. *Rate—*

The rate, usually expressed in cents on each dollar of the grand list, is fixed and levied for state and county purposes by the general assembly.

There is an annual levy of 8 cents on the dollar for schools and 5 cents on the dollar for highways.

3. *Collection—*

State and county taxes are collected by the constables or town collectors of taxes on warrants issued by the state or county treasurers, and those of unorganized towns and gores (sobrante), by the supervisor. Taxes are a lien on any property, and those on polls and personal property may be collected by seizure of real estate. Taxes are due on six days' notice and may then be collected by distraint and sale, and if the taxpayer has no property, he may be imprisoned. Distraint may be made at any time up to six years from the issue of the warrant.

Towns are held liable as corporations for their shares of state taxes, and the goods and chattels of any inhabitants may be seized by the sheriff for such taxes. Owners of goods thus seized have recourse, however, against the town with 12 per cent interest.

C. THE INHERITANCE TAX.

All property within the jurisdiction of this state, and any interest therein, whether belonging to inhabitants of this state or not, which passes by inheritance or gift or voluntary conveyance to take effect in possession or enjoyment upon or after the death of the grantor or donor other than to the father, mother, husband, wife, lineal descendant, stepchild, adopted child, child of a stepchild or of an adopted child, a bishop in his ecclesiastical capacity for religious uses in the state, or to a city or town for cemetery purposes, or to charitable, educational, or religious societies, created by the laws of Vermont, and having their principal office in the state, is subject to a tax to the state of 5 per cent of the value in money of each legacy or distributive share. This tax is also imposed upon the transfer to any others than those specified in the preceding sentence by foreign administrators of stock in corporations within the state and the assignment of securities or assets being in the state at the time of the death of the nonresident deceased. When the same property is subject to a transfer or inheritance tax in another state the rate is to be such that the sum of the two taxes shall equal 5 per cent.

When any property is bequeathed to any of the exempted class during life or for a term of years with remainder to a person not exempt, the latter is liable to the tax upon the value of such remainder. Taxes under this provision are due on or before three months from the death of the decedent. Other taxes are due on or before the expiration of 2 years from the death of the decedent. Interest shall be charged from due date until paid.

D. CORPORATION TAXES.

The classes of corporations described below are not taxable on the "grand list" or under the general property tax. Some of them are taxable on their property, or, at their option, on gross receipts, but when taxable on their property the rate is fixed and the machinery for assessment and collection is so different from that generally used that they are presented here as special taxes.

A state tax for the payment of state expenses is assessed upon the property, business, or corporate franchises of railroad, insurance, guaranty, express, telegraph, telephone, steamboat, car and transportation companies, sleeping car companies, mortgage, loan or investment companies, and other corporations and persons, as specified below, and the corporations or persons so taxed are not taxable on the "grand list."

These taxes are administered by the commissioner of taxes.

Railroads, which includes all electric railways, may at their option pay either a tax of 1¼ per cent, or $12.50 per $1,000 valuation, on their property in the state appraised by the unit rule on a mileage basis, or a tax on their gross earnings, similarly appraised by the unit rule on a mileage basis of 2½ per cent on gross earnings not exceeding $2,000 per mile; 2¾ per cent on earnings from $2,000 to $2,500 per mile; 3 per cent on earnings from $2,500 to $3,000 per mile; 3¼ per cent on earnings from $3,000 to $3,500 per mile; 3½ per cent on earnings from $3,500 to $4,000 per mile; 3¾ per cent on earnings from $4,000 to $4,500 per mile; and 4 per cent on earnings exceeding $4,500 per mile.

For a term of five years after the date when cars for public traffic commenced running on an electric railroad built after February 1, 1907, 90 per cent of the tax upon such railroad based upon the appraisal thereof or upon the gross earnings is refunded to aid such railroad company.

Telephone companies pay 3 per cent on gross earnings in the state or (since 1902) 40 cents each on the average number of transmitters, and 30 cents per mile of wire.

Telegraph companies may, at their option, pay either 60 cents per mile of poles and one wire and 40 cents per mile for each additional wire or 3 per cent of gross earnings in the state.

Sleeping and palace car companies pay seven-tenths of 1 per cent of the capital used by them in the state, determined by the unit rule.

Express companies pay $8 for every mile of railroad within the state over which they transport property for hire. At the time of paying the annual license tax they must give sureties to pay license for the next year.

Steamboat, car, and transportation companies pay at their option either a tax of 1 per cent on their property, or a tax of 2½ per cent on their gross earnings in the state, appraised by the unit rule on a mileage basis.

Insurance and guaranty companies pay 2 per cent per annum on gross amount of premiums and assessments collected, less return premiums, dividends to policyholders, and reinsurance with domestic companies.

Domestic mutual fire insurance companies and domestic fire, accident, fidelity, surety, or guaranty companies also pay a tax of 1 per cent on the surplus over all liabilities, with certain deductions, for the first-named companies.

Life insurance companies, domestic, pay in addition, 1 per cent on the surplus above the necessary reserve at 4 per cent, but may deduct the value of real estate locally taxed.

Savings banks and trust companies pay seven-tenths of 1 per cent on the average amount of deposits and accumulations, less an amount not exceeding 10 per cent of their assets when invested in United States bonds.

In the case of banks, the average amount of the assessed valuation of real estate owned by such corporations is also deducted. These taxes are payable in semiannual instalments.

National bank deposits bearing more than 2 per cent interest are taxed seven-twentieths of 1 per cent. The tax is paid by the depositor or the bank may pay the tax and charge it to the depositor.

Building and investment companies and agents for the same pay 1 per cent upon the aggregate amount of moneys received to be loaned without the state and upon the aggregate amount of bonds, mortgages, choses in action, and securities negotiated, unless they return the name and address of the person for whom the investment was made, in which case the tax is assessed to him.

E. BUSINESS TAXES, LICENSES, AND FEES.

Every corporation, either foreign or domestic, having capital stock or deposit of $50,000 or less, pays an annual license tax of $10; for each $50,000 or fraction thereof over $50,000, $5; but no tax shall exceed $50. Failure to pay this annual license tax terminates the existence of the corporation.

Liquor licenses.—First class, to sell intoxicating liquors to be drunk on premises, fee, $800 to $1,200; towns of less than 1,500 inhabitants, $300 to $1,200; second class, retail sale, not to be drunk on premises, $800 to $2,000; third class, to sell malt liquors, ciders, and wines containing not more than 15 per cent alcohol, to be drunk on premises, $250 to $500; fourth class, wholesale dealers, $750; malt liquors, $500; fifth class, sold for medicinal purposes, not less than $10; sixth class, to sell intoxicating liquors in summer hotels, fees proportional to first class, according to duration of license; seventh class, malt liquors, not drunk on premises, $150 to $500. The towns derive no revenue from these licenses.

Motor vehicles.—Registration fee, $1 per horsepower; second registration, 75 cents per horsepower; third and successive registrations, 50 cents per horsepower. Manufacturers and dealers, $25; special fees for nonresidents; operator's license, $2.

Other licenses collected annually by the state are: To sell fertilizers, $20 for each brand, except fertilizer containing only phosphoric acid and ether nitrogen or potash, $15; to sell oleomargarine, $100; itinerant vendors, $25; resident hunters, 50 cents; nonresident, $10; seine license, not to exceed $20; auctioneers, $10; circus, to exhibit in state three months, $1,000 to $3,000; foreign creamery associations, $5.

Persons seeking incorporation by special act pay $25 if the capital stock does not exceed $10,000; over $10,000 and not exceeding $50,000, $50; over $50,000 and not exceeding $200,000, $100; over $200,000 and not exceeding $500,000, $200; over $500,000 and not exceeding $1,000,000, $300; over $1,000,000 and not exceeding $2,000,000, $500; for each additional $1,000,000 or fraction thereof, $200.

For articles of association under general laws, no capital stock, $25; capital stock $5,000 or less, $10; over $5,000 and not exceeding $10,000, $25; over $10,000, same fees as above to state treasurer.

Insurance commissioners.—For a state license or renewal thereof to foreign insurance corporations, $5; for license to an insurance agent for foreign companies, annually, $2; for license to insurance broker, or renewal, annually, $10; for filing annual statement, $20; fraternal beneficiary associations, for state certificate, $5; filing charter, $5; annual report, $5.

Boards of registration.—Physicians and surgeons, $20; nonresident physicians, $50; embalmers, $10; nurses, $5; dentists, $25; pharmacists, $5; osteopaths, $25; optometrists, examination $15, certificate of registration, $10, and certificate of exemption, $5.

F. THE INCOME TAX.

There is no income tax in Vermont.

County Revenues.

A AND B. GENERAL PROPERTY AND POLL TAXES.

1. *Base*—

The property included and the method of assessing polls with property, as well as the method of assessment and of equalization, have been described under State revenues.

2. *Rate*—

The rate for county purposes is determined by the legislature.

3. *Collection*—

Taxes for the county are collected by the local tax collectors as are other taxes.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no county inheritance or corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

Peddlers—on foot, annually, $15; with a horse or horses, motor vehicle, or by railroad, annually, $30. Paid to county treasurers, remitted to state treasurers, and reapportioned among the counties on basis of population.

Municipal Revenues.

A AND B. GENERAL PROPERTY AND POLL TAXES.

1. *Base*—

The property and polls included, and the method of assessment and of equalization are the same as for state taxes.

2. *Rate*—

The proper legislative authorities of the towns, school districts, fire districts, incorporated villages, and cities may levy taxes and determine the rates of municipal taxation. This is usually done in town meeting.

The selectmen levy a highway tax of not less than one-fifth of the grand list of the town.

3. *Collection*—

Local taxes are collected as are state taxes.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no municipal inheritance or corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

Itinerant vendors are taxed an amount equal to the sum which would be produced if the rate of state and local taxes for the year was levied upon the goods of such vendors as appraised by the listers.

Dogs, in towns: For a male or spayed female, $1; for a female, $6. Selectmen may license and tax circuses for two days' exhibition not more than $100 nor less than $10; menageries, not more than $50 nor less than $10.

Towns, villages, and cities may license theaters, shows, and moving-picture shows.

School Revenues.

The funds deposited by the United States in 1837 as Vermont's share of the surplus revenue distributed to the states, were apportioned among the towns in proportion to the population, to be invested by the school trustees, the interest being used to support the schools.

The "Huntington Fund," received by bequest for school purposes, was, by an act of the state legislature in 1884, established as a permanent state fund. In 1905 an act was passed providing that the proceeds of this fund might be used for general state purposes, and that the state should annually apportion to the towns, unorganized towns, and gores, for school purposes, an amount equal to 6 per cent on the entire amount of this fund.

The Spanish-American War Claims Fund, consisting of $240,000 paid to the state of Vermont in reimbursement of the state's expenditure on account of that war, was, by an act of the legislature in 1904, set apart as a permanent fund for public school purposes.

The state levies an annual tax of 8 cents on each dollar on the grand list for schools, the proceeds being divided among the towns in proportion to the number of legal schools. (A legal school is one kept 28 weeks by a registered teacher.)

The selectmen have control usually of the town school fund, consisting of the investments for schools, and are also to appropriate annually for school purposes a sum not exceeding one-half nor less than one-fifth of the grand list of the town district and to assess a tax to meet such appropriation.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

No deduction on account of debts owing shall be made from the appraised valuation of personal property nor from the grand list of any person.

Act 42. Relating to taxation of polls and ratable estate in unorganized towns and gores.

A state tax of 1.25 cents on a dollar is annually assessed upon the grand list of each unorganized town and gore, which is to be the only tax levied therein on the grand list except county taxes.

The grand lists are to be made up by appraisers appointed by the commissioner of taxes. Methods of assessments and collection shall be the same as in towns.

No state highway or school tax, and no taxes voted by the general assembly shall be assessed to unorganized towns and gores.

Supervisors appointed by the governor shall collect the taxes and turn them over to the state treasurer, except county taxes.

The revenue derived from the organized towns and gores, after the expenses of administration are paid, shall be used in the laying out, construction, and maintenance of highways and bridges in those districts, under the direction of the state highway commissioner.

Act 50. Repeals section of public statutes which allowed railroads to pay taxes on their gross earnings.

Act 52. Repeals section of public statutes which allowed steamboat, car, and transportation companies to pay taxes on their gross earnings, and provides that such companies shall pay a tax of 1¼ per cent on their property.

Act 53. Sleeping, parlor, and dining car companies shall pay a franchise tax of 1¼ per cent on their capital invested within the state.

Act 54. Express companies shall pay a tax of $20 per mile of line over which they transport express matter for hire within the state.

Act 55. Telegraph companies shall pay a tax assessed on their property and corporate franchise of 65 cents per mile of poles, and one wire, and 56 cents per mile for each additional wire.

Optional, such companies may pay 4½ per cent of gross earnings in lieu of preceding tax.

Act 56. Repeals sections of public statutes relating to taxation of telephone companies, and substitutes: Telephone companies shall pay a tax of 1¼ per cent upon the appraisal of their property made by the tax commissioner.

Act 57. Repeals acts relating to taxation of building and investment companies.

Act 58. Charter fees charged: For filing articles of association, not providing for capital stock, $25; with capital stock not exceeding $5,000, $10; $5,000 to $10,000, $25.

Act 60. Includes wife or widow of a son or husband of a daughter among those heirs exempted from payment of an inheritance tax.

Act 76. To consolidate the various school funds and appropriations and to provide a more equitable distribution of the same:

A "legal school" is any public school maintained at least 150 days including holidays and others allowed by law.

The receipts of the 8 per cent state tax, the revenue from the interest on the permanent school fund, and $50,000 appropriated annually is to be consolidated and distributed among the various towns, unorganized towns and gores, for the encouragement of education.

Act 180. License for selling oleomargarine to be $25.

Act 187. License for pawnbrokers, fee, $15, regulated by the towns.

Act 257. Public accountant, registration fee, $25.

Act 213. Veterinarians, registration fee, $5; annual license fee, $2.

VIRGINIA.[1]

The revenue laws of Virginia were extensively revised in 1903, pursuant to the provisions of the new constitution which went into effect July 10, 1902. The principal features of the revenue system are set forth in Article XIII of the constitution, cited below.

The general property tax is used for both state and local purposes. The franchises of railroads and canal companies are taxed for state purposes only. There is an extensive system of state license taxes, which supplement the general property tax. Towns and cities may be authorized by their charters to levy licenses. There is also a poll tax and taxes on collateral inheritances, incomes, wills and administrations, deeds and contracts, and on suits.

CONSTITUTIONAL PROVISIONS.

ARTICLE XIII.

Sec. 168. All property, except as hereinafter provided, shall be taxed; all taxes, whether state, local, or municipal, shall be uniform upon the same class of subjects within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws.

Sec. 169. Except as hereinafter provided, all assessments of real estate and tangible personal property shall be at their fair market value, to be ascertained as prescribed by law. The general assembly may allow a lower rate of taxation to be imposed for a period of years by a city or town upon land added to its corporate limits than is imposed on similar property within its limits at the time such land is added. Nothing in this constitution shall prevent the general assembly, after the 1st day of January, 1913, from segregating for the purposes of taxation the several kinds and classes of property, so as to specify and determine upon what subjects state taxes and upon what subjects local taxes may be levied.

Sec. 170. The general assembly may levy a tax on incomes in excess of $600 per annum; may levy a license tax upon any business which can not be reached by the ad valorem system, and may impose state franchise taxes, and in imposing a franchise tax may, in its discretion, make the same in lieu of taxes upon other property, in whole or in part, of a transportation, industrial, or commercial corporation. Whenever a franchise tax shall be imposed upon a corporation doing business in this state, or whenever all the capital, however invested, of a corporation chartered under the laws of this state shall be taxed, the shares of stock issued by any such corporation shall not be further taxed. No city or town shall impose any tax or assessment upon abutting landowners for street or other public local improvements except for making and improving the walkways upon then existing streets and improving and paving existing alleys, and for either the construction or for the use of sewers, and the same when imposed shall not be in excess of the peculiar benefits resulting therefrom to such abutting landowners. Except in cities and towns, no such taxes or assessments for local public improvements shall be imposed on abutting landowners.

[1] This compilation is derived mainly from the following sources:

Tax Laws of Virginia, 1910. (A pamphlet compiled under the authority of the auditor of public accounts.)

The Code and the Session Laws down to 1912.

Report of the Virginia Tax Commission, 1911 (appointed to make an investigation of the system of assessment, revenue, and taxation then in force in the state).

SEC. 171. The general assembly shall provide for a reassessment of real estate in the year 1905 and every fifth year thereafter, except that of railway and canal corporations, which, after January 1, 1913, may be assessed as the general assembly may provide.

SEC. 172. The general assembly shall provide for the special and separate assessment of all coal and other mineral land, but until such special assessment is made such land shall be assessed under existing laws.

SEC. 173. The general assembly shall levy a state capitation tax of, and not exceeding, $1.50 per annum on every male resident of the state not less than 21 years of age, except those pensioned by this state for military services, $1 of which shall be applied exclusively in aid of the public free schools, in proportion to the school population, and the residue shall be returned and paid by the state into the treasury of the county or city in which it was collected, to be appropriated by the proper county or city authorities to such county or city purposes as they shall respectively determine; but said capitation tax shall not be a lien upon, nor collected by legal process from, the personal property which may be exempt from levy or distress under the poor debtor's law. The general assembly may authorize the board of supervisors of any county or the council of any city or town to levy an additional capitation tax not exceeding $1 per annum on every such resident within its limits, which shall be applied in aid of the public schools of such county, city, or town, or for such other county, city, or town purposes as they shall determine.

SEC. 174. After this constitution shall be in force, no statute of limitations shall run against any claim of the state for taxes upon any property; nor shall the failure to assess property for taxation defeat a subsequent assessment for and collection of taxes for any preceding year or years, unless such property shall have passed to a bona fide purchaser for value, without notice; in which latter case the property shall be assessed for taxation against such purchaser from the date of his purchase.

SEC. 176. The state corporation commission shall annually ascertain and assess, at the time hereafter mentioned, and in the manner required of the board of public works, by the law in force on January 1, 1902, the value of the roadbed, and other real estate, rolling stock, and all other personal property whatsoever (except its franchise and the nontaxable shares of stock issued by other corporations) in this state of each railway corporation, whatever its motive power, now or hereafter liable for taxation upon such property; the canal bed and other real estate, the boats and all other personal property whatsoever (except its franchise and the nontaxable shares of stock issued by other corporations) in this state, of each canal corporation empowered to conduct transportation; and such property shall be taxed for state, county, city, town, and district purposes in the same manner as authorized by said law at such rates of taxation as may be imposed by them, respectively, from time to time upon the real estate and personal property of natural persons: *Provided*, That no tax shall be laid upon the net income of such corporations.

SEC. 177. Each such railway or canal corporation, including also any such as is exempt from taxation as to its works, visible property, or profits, shall also pay an annual state franchise tax equal to 1 per cent upon the gross receipts hereafter specified in section 178 for the privilege of exercising its franchises in this state, which, with the taxes provided for in section 176, shall be in lieu of all other taxes or license charges whatsoever upon the franchises of such corporation, the shares of stock issued by it, and upon its property assessed under section 176: *Provided*, That nothing herein contained shall exempt such corporation from the annual fee required by section 157 of this constitution, or from assessments for street and other public local improvements authorized by section 170: *And provided further*, That nothing herein contained shall annul or interfere with or prevent any contract or agreement by ordinance between street railway corporations and municipalities as to compensation for the use of the streets or alleys of such municipalities by such railway corporations.

SEC. 178. The amount of such franchise tax shall be equal to 1 per cent of the gross transportation receipts of such corporations for the year ending June 30 of each year, to be ascertained by the state corporation commission, in the following manner:

(a) When the road or canal of the corporation lies wholly within this state, the tax shall be equal to 1 per cent of the entire gross transportation receipts of such corporation.

(b) When the road or canal of the corporation lies partly within and partly without this state, or is operated as a part of a line or system extending beyond this state, the tax shall be equal to 1 per cent of the gross transportation receipts earned within this state, to be determined as follows: By ascertaining the average gross transportation receipts per mile over its whole extent within and without this state and multiplying the result by the number of miles operated within this state: *Provided*, That from the sum so ascertained there may be a reasonable deduction because of any excess of value of the terminal facilities or other similar advantages in other states over similar facilities or advantages in this state.

SEC. 179. (Requires reports from corporations to the state corporation commission to form basis of assessment of property and franchise taxes.)

SEC. 180. (Relates to application by corporations for relief from the assessment and proceedings thereunder.)

SEC. 181. (Provides that taxation of corporations as stated in sections 176 to 180, inclusive, shall remain fixed from January 1, 1903, to January 1, 1913, and thereafter until modified by the general assembly.)

SEC. 182. (Describes the method of taxation of shares of stock of trust or security companies and incorporated banks.)

SEC. 183. (Gives detailed list of property exempt from taxation.)

SEC. 186. (Provides for the collection and disposition of state revenue.)

SEC. 188. (Limits amount of tax or revenue to necessary expenses of government and for payment of indebtedness of state.)

SEC. 189. (Limits the rate of taxation for state purposes.)

ARTICLE XII.

SEC. 157. (Provides for fees from corporations for various services.)

ARTICLE VIII.

SEC. 128. In cities and towns the assessment of real estate and personal property for the purpose of municipal taxation shall be the same as the assessment thereof for the purpose of state taxation, whenever there shall be a state assessment of such property.

ARTICLE IX.

SEC. 136. (Provides for levy of tax for local school purposes.)
SECS. 134–5. (Describes the sources of the state school funds.)

ARTICLE II.

SEC. 21. (Requires the payment of state poll taxes as a condition precedent to the right of voting.)

OFFICERS.

The officers most directly concerned with taxation are:

(1) Commissioners of the revenue, one to six in each county, elected for a term of four years; also one in each city appointed by the hustings or circuit courts for a term of four years expiring in 1913, thereafter to be elected for a term of four years. Where there is more than one commissioner in a county they are assigned to districts. These officers have general supervision of all taxes and licenses, with the exception of corporation and franchise taxes and those under the oyster laws.

(2) State, county, and city treasurers, who collect and receive taxes and licenses.

(3) Assessors, specially appointed by the circuit, corporation, and hustings' court of the counties and cities, every fifth year, to assess real estate, generally one for each district in which there is a commissioner of the revenue.

(4) County board of supervisors, elected every four years, one from each magisterial district; levies taxes for county purposes and has general supervision over the revenues of the county.

(5) The state auditor of public accounts.

(6) State corporation commission, composed of three members appointed by the governor for a term of six years; this is the board of assessment for railroads and other corporations.

STATE REVENUES.

PREFATORY NOTE.—There is a special classification of taxes provided for in the revenue laws of Virginia. That classification has not been adopted in the following analysis, because it seemed to be somewhat desirable to present the tax system in the same form as that for the other states. But as the classification used in the laws may throw some light upon the working of the system, and specially upon the relation of the different parts one to the other, an abstract of it is here presented:

1. Taxes on lands and lots, ground rents, and rent charge.
2. Taxable subjects:
Schedule A.—Male inhabitants, white and colored, poll tax.
Schedule B.—Personal estate (in goods and chattels), including toll bridges, turnpikes, and ferries, except steam ferries, owned and operated by a corporation.
Schedule C.—Choses in action, moneys, credits, and capital stocks.
Schedule D.—Incomes.
3. On business and other subjects, to wit, on wills and administrations, on deeds, on suits, on seals, on banks and trust and security companies, on insurance companies, on railroad and canal companies, on water or heat, light and power companies, on sleeping and dining car and similar companies, on express companies, on steamboat companies, and on telegraph and telephone companies.
4. Licenses:
Schedule A.—Merchants, etc. (See more complete list under licenses in the general analysis below.)

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All real estate and improvements, and all personal estate situated within the commonwealth, and the moneys and credits of persons residing therein wherever situated, except as specially exempted, are to be taxed.

(1) and (2) Real and personal property are not specially defined for purposes of taxation, but taxable classes are enumerated in great detail.

(3) Exemptions in addition to public property are: Bonds of the state issued since 1882; road and bridge bonds, locally; churches and parsonages; cemeteries, public and private, not conducted for profit; property of educational institutions, hospitals, nunneries, and orphan and other asylums; property of the Virginia Historical Society, the Young Men's Christian Association and similar religious associations, the Association for the Preservation of Virginia Antiquities, the Confederate Memorial Literary Society, and the Mount Vernon Ladies' Association; free libraries; property devoted to charitable and benevolent purposes, when not run for profit; grain, tobacco, and other agricultural productions in the hands of the producer.

Shares of stock in companies all of whose capital is taxed by the state and shares of companies which pay a franchise tax in the state, are exempt from taxation.

b. Assessment.—There is but one assessment for the purpose of state and county taxation, and in cities and towns the assessment for municipal taxation is to be the same as that for the state.

The general assessment of lands throughout the state is made every five years. Assessors are appointed especially for this purpose in the counties and cities of the state and are required forthwith to assess the fair market value of each tract and lot of land and the improvements thereon and to note whether the owner is white or colored.

The annual land book or list of the taxable real estate is made by the commissioners of the revenue in the several counties, cities, and districts, who ascertain to whom the real estate is chargeable with taxes as of February 1 of each year. The value of lands and lots as ascertained by the assessor is not to be changed except on account of improvements. Each commissioner takes with him the last land book and requires every person charged to swear to the correctness of the entry of his land and to state transfers and omissions, which information is verified by the records. Abstracts of grants, lists of deeds and lands devised, and judgments for partition or recovery of lands, are supplied the commissioner by clerks of court and registers of the land office. Tracts of land in counties and town lots are taxed separately. The commissioner is to assess the value or the increase in value of any building or inclosure of the value of $100 and upward not already assessed and is to reduce the valuation for similar decrease in value. Where the owner of the land also owns the timber thereon the commissioner may deduct for any decrease in the value of the woodland due to the cutting of trees to a value of $200 or over.

Personal property is assessed annually as of February 1 by the commissioners of the revenue in the several counties, districts, and cities. Every person must

fill out lists under oath of all his personal estate, moneys, credits, and capital, with the value thereof, under penalty of $30 to $1,000. The commissioner, upon his own view and upon information derived from sworn interrogatories answered by the taxpayer or the best information obtainable, is to assess a fair market valuation and to make up personal property books containing lists of persons and personal property, separate books being made up for white and colored persons, and on the assessments in these books the various levies are extended.

Mineral lands and all improvements, fixtures and machinery thereon, are assessed annually by the commissioners of revenue, or, at the instance of the state corporation commission, jointly by agents of that commission and the local commissioners of revenue.

The surface of mineral land is assessed separately from the minerals, mineral waters, oil, and gas under the surface.

Debts due by the taxpayer as principal debtor to others may be deducted only from the value of bonds, notes, and other evidences of debt assessable against taxpayers.

The real estate owned by banks (including trust and security companies) is assessed to them, but the shares of stock in these corporations are assessed to the stockholders at their market value, which is ascertained by adding together the capital, surplus, and undivided profits of each bank, less the value of real estate taxed to the bank.

If title to the bank building and land is in a holding company, the amount to be deducted from the value of the bank shares is ascertained by taking such proportion of the assessed value of said real estate as the stock the bank owns in the holding corporation bears to the whole issue of stock in such corporation. Stockholders may deduct debts not otherwise deducted from their taxable property, not including any money that may be due on account of the purchase of nontaxable securities; provided such deductions do not exceed 10 per cent of the total value of the shares. The shares are taxed at the same rate as other property. The bank is required to pay the tax on behalf of the stockholders.

Certain quasi public corporations are assessed by the state corporation commission.

The real and personal property of railroad and canal companies, other than their franchises, are assessed by the state corporation commission and, except rolling stock, are taxed in the same manner as other property for state and local purposes. No assessment is made of the franchises of any corporation of this class, but a tax of 1 per cent is imposed on the gross transportation receipts in lieu of all other franchise taxes. This tax accrues to the benefit of the state government. Each company is required to make an annual report of the matters necessary for the assessment. The penalty for failure to report is $100 to $250 per day.

Railroads owned by mining, lumber, and like companies which transport passengers and freight for persons other than the owners are assessed by the state corporation commission; all other property of such companies not used in operating the railroad is assessed by the commissioner of the revenue in the district or city where located.

The clerk of the state corporation commission, after the assessment of these railroad and canal companies, furnishes to certain local officers in the towns, cities, school districts, and counties where the property is located a certified copy of the assessment made of such corporation property as is situated therein so that local taxes may be levied.

The rolling stock of foreign corporations doing business in the state is assessed on the average amount of such property habitually used in the state.

Any railroad the greater part of the mileage of which is operated by electricity is deemed an electric railroad; its rolling stock therefore does not come under the above provisions.

Stocks, bonds, and securities of domestic companies in excess of their indebtedness, within or without the state, are, for the purposes of taxation, considered as at the principal office of the company in this state.

When all of the capital of a joint-stock company is taxed by the state, the shares of individual shareholders are not further taxed.

Express companies, steamship and steamboat companies transporting passengers or freight, water or heat, light and power companies, and telegraph and telephone companies, are assessed by the state corporation commission on the basis of reports, similarly to railroads. In case of failure to report, the properties are assessed by the state corporation commission on the best information obtainable, and penalties imposed. Copies of the assessments of property located in each town, city, school district, and county are furnished to the proper officials in each civil division where such property is situated for the purpose of local taxation.

Telegraph and telephone companies are assessed on the basis of reports to the state corporation commission for line and wires located in the state. Property is assessed where located. A company failing to make a report is to be assessed at its real value, upon the best and most reliable information that can be procured. There is also a fine imposed of $500 to $2,500.

Planted oysters are assessed as personal property by the inspectors of oysters annually on the 1st day of October.

The assessors are compensated at the rate of $2 per day, and the commissioners of revenue by commissions and fees. But the board of supervisors of any county may increase the salary of assessors and assistant assessors by an amount not less than $1 nor more than $3, the increased per diem to be paid out of the county funds. The council of any city may increase the per diem of assessors and assistant assessors of said cities, the increase to be paid out of the city funds.

c. Equalization.—There is no equalization, strictly interpreted, of any part of the assessment. But the assessors of counties and cities meet for consultation with a view to equalizing the assessment of lands in their respective counties, districts, and corporations.

Persons feeling themselves aggrieved by any entry in the land book may, prior to February 1 of the second year after assessment, apply for relief to the circuit court of the county or corporation in which the land lies. Personal property assessments may be corrected in a similar manner. In these actions the attorney for the commonwealth defends the assessment. The court may order the assessment corrected and the money refunded or the treasurer restrained from collecting.

Redress from erroneous assessments of county and of city taxes is to be had in the circuit court of a county or corporation court of a city.

Any railroad or canal company, water or heat, light and power company, express or transportation company, steamship, steamboat, or car company, or any steam ferry company, telegraph or telephone company, or sleeping car, or other similar companies, aggrieved by the assessment by the state corporation commission may apply for redress to the circuit court of the city of Richmond. Notice of the application is to be given the state corporation commission and the attorney for the commonwealth for the city of Richmond defends the assessment.

2. *Rate—*

The annual state rate on real estate and tangible personal property is fixed by statute at 20 cents on every $100 of assessed value for the support of the state government, 10 cents for the support of public free schools, and 5 cents for the payment of pensions; on intangible personal property the rate is 25 cents for the support of the state government and 10 cents for the support of public free schools.

3. *Collection—*

State, county, and city taxes are collected by the county and city treasurers.

Taxes are due and payable on July 1, and the treasurer attends in each magisterial district by appointment to receive them. After December 1 it is his duty to call for taxes that remain unpaid and to collect them by distress of goods and chattels or garnishment, adding thereto a penalty of 5 per cent; he may rent out real estate or may sell timber or wood land and if there is found no property liable to distress, he is to return lists of delinquent taxes, which are then enforced by sale of lands. The lien of the state on land for taxes is paramount to that of the counties, cities, and towns, and all liens attach December 15 in the year in which the taxes are assessed.

Taxes on oysters are collected by the oyster inspectors.

Collection officers are paid for their services commissions similar to those allowed the commissioners of the revenue for assessing the taxes.

B. POLL TAXES.

All male persons, white and colored, over the age of 21, except those pensioned by the state for military services, pay a capitation tax of $1.50, of which $1 is for public free school purposes and 50 cents is paid into the county or city treasury in which it was collected. The tax is a lien upon real estate owned by the person assessed, and if the tax is not paid before the expiration of three years the land may be sold.

C. THE INHERITANCE TAX.

When any estate within the state of any decedent passes, by will or descent, to any other person or for any other use than to or for the use of the grandfather, grandmother, father, mother, husband, wife, brother, sister, or lineal descendant of such decedent, the estate so passing is subject to a tax of 5 per cent. Exemptions are all property to be used exclusively for state, county, municipal, benevolent, charitable, educational, and religious purposes. This tax is for the use of the state and is to be paid to the auditor of public accounts by the county treasurer who retains a commission of 5 per cent. This tax is due and payable one year after decedent's death.

D. CORPORATION TAXES.

The ad valorem taxation of public service corporations is treated under State revenues, 1, above.

License taxes imposed upon corporations as such are treated under Business taxes, licenses, and fees, E, following.

In addition to the general property tax, railroad and canal companies pay a state tax of 1 per cent per annum upon the gross transportation receipts within the state ascertained by finding the average gross transportation receipts per mile, allowance being made for any excess of value of the terminal facilities located in another state over those located in this state. Water or heat, light, and power companies doing business in this state, in addition to the general property tax, pay an annual state franchise tax equal to one half of 1 per cent of their gross receipts for the privilege of doing business in the state.

Each and every sleeping car, parlor car, and dining car company operating a mileage and doing business within this state pays a license tax of $2 for each and every mile of track over which it operates its cars in this state.

Every corporation, joint-stock company, or association formed under laws of this state, except railway, canal, light, heat, and power companies, gas and water companies, insurance, banking, and security companies, and telephone companies, having an authorized maximum capital stock of $5,000 or less, shall, in addition to the charter fee, tax on property, and on income or receipts, and license tax and registration fee prescribed by law, pay an annual state franchise tax as follows: $25,000 and under, $10; over $25,000 and up to $50,000, $20; over $50,000 and up to $100,000, $40; over $100,000 and up to $300,000, $60; over $300,000 and up to $500,000, $100; over $500,000 and up to $1,000,000, $200; over $1,000,000, $200, and $10 for each $100,000 in excess thereof.

Steamship companies and car and transportation companies, except express, pay an annual license tax of one-half of 1 per cent on the gross receipts of such company in addition to the general property and other taxes to which they are subject.

E. BUSINESS TAXES, LICENSES, AND FEES.

A large number of license taxes are levied annually for state purposes.

Merchants pay license taxes for the privilege of transacting business in the state to be graduated by the amount of purchases during the period for which the license is granted, being the next preceding 12 months, reported under oath to the commissioner of the revenue: Purchases up to $1,000, $5; over $1,000 and up to $2,000, $10; over $2,000 and up to $50,000, $10 and 30 cents on each $100 over $2,000; over $50,000, $154 and 10 cents on each $100 in excess of $50,000.

Railroad companies which sell mineral or forest products not from their own mines or lands are taxed as other merchants.

Privilege and license taxes on corporations (annual): Each and every express company operating a mileage in this state shall pay, in addition to the general property tax, a license tax of $6 for every mile so operated within this state. (This is in lieu of all other state taxation, except property tax and registration fee. This tax is paid into state treasury.) Telegraph companies pay a license tax of $2 per mile of poles or conduits owned or operated in the state; also 2 per cent of gross receipts on state business. Telephone companies, license tax, when the gross receipts from business in the state do not

exceed $50,000, and when the number of miles of poles do not exceed 400, and the majority of the stock or other property of such company is not owned or controlled by another telephone or telegraph company whose receipts exceed $50,000, 1 per cent of the gross receipts from business done within this state during the year ending the 30th day of June preceding; when the gross receipts are over $50,000 or more than 400 miles of pole line is operated or a majority of the stock or other property is owned or controlled by any other telephone or telegraph company whose receipts exceed $50,000, 1 per cent on such receipts up to $50,000, and 2 per cent on the excess of receipts over $50,000, and in addition $2 per mile of line of poles or conduits owned or operated by such company in the state. Local mutual companies, which do not charge others for transmitting messages and which are not organized for profit and do not pay dividends, shall be exempt from this tax.

Building and loan association.—Specific license tax, where capital is not over $25,000, $75; $25,000 to $50,000, $110; $50,000 to $100,000, $150; $100,000 to $150,000, $185; $150,000 to $200,000, $225; $200,000 to $350,000, $265; $350,000 to $400,000, $375; in excess of $400,000, $375 and an additional sum of 50 cents for each $1,000 in excess. Nonresident companies pay the license tax upon capital invested in this state. On companies doing business on the purely mutual plan, confining their business to the city or county where organized, the tax is $50, to be levied only where the principal office of the company is located. Shares of stock issued by any building and loan association which has paid the license tax are not taxable.

Insurance companies, surety companies, and every guaranty, accident, plate glass, steam boiler, assessment, security, marine, United Brethren, live stock, travelers' company, and all like companies, in addition to the general property tax, pay a specific license tax of $200 for the privilege of doing business in the state. In addition, a tax of 1¾ per cent upon the gross amount of all assessments, premiums, dues, and fees derived from business in the state on policies, contracts, or agreements for fire, marine, surety, guaranty, fidelity, employer's liability, credit, accident, plate glass, tornado, automatic sprinkler, burglary, steam boiler, and all like insurance, and a tax of 1⅛ per cent on policies, contracts, or agreements for life, mutual aid, mutual benefit, sick benefit, United Brethren, health, assessment, live stock, and all like insurance. Fire insurance companies doing business wholly within the state on a mutual basis, not designed to accumulate profits nor pay dividends, and legal reserve life insurance companies, whose entire premium income upon all of its business does not exceed $500,000, pay a tax of 1 per cent upon the gross amount of their premiums, etc. Fire insurance companies doing business on the legal reserve (not mutual) plan, whose gross premium receipts did not exceed $100,000 during the preceding year, pay 1½ per cent upon the gross amount of premiums, etc., collected. Fire insurance companies chartered in the state not designed to accumulate profits or pay dividends, and doing business upon the purely mutual plan, doing business in not more than four counties in the state or in more than four contiguous counties, provided the population does not exceed 100,000 inhabitants, are exempt from this tax.

Commission merchants, $50; when commissions exceed $1,000, $60; for each $1,000 in excess of $2,000, $10 extra; also, in addition, the amount paid by liquor merchants and stock brokers, if dealing in those lines.

Peddlers—on foot, $250; otherwise, $500; lightning rod peddlers, $200; lightning rod merchants, $25, and $10 additional for each county in which business is transacted, other than that in which first licensed; peddlers of milk, butter, eggs, poultry, fish, oysters, game, fruit, and farm products not produced by them, $50 for each vehicle used; peddlers of coal and wood in cities of more than 40,000 inhabitants, $50 for each wagon used; peddlers of pianos and organs, $10 for each man engaged in selling; sale of patent rights, except by the patentee, $25. Agents—land agents, $10 and one-eighth of 1 per cent on amount of sales; if in a town of 2,000 to 3,000 inhabitants, $10 additional; 3,000 to 4,000, $20; 4,000 to 5,000, $30; over 5,000, $40 additional; book agents, $10. Auction sales—general auctioneers, $50 and if the place of business is in a city of over 5,000 inhabitants, $2 additional per 1,000 inhabitants above that number; but not to exceed $130, also an additional sum of one-fourth of 1 per cent of sales per year; if selling liquors, one-half of 1 per cent of the amount of such sales in addition; real estate auctioneers, $50; if in a city of 5,000 inhabitants or under, $75; 5,000 to 20,000, $100; over 20,000, $125; tobacco auctioneers, $25; in cities, $50; in incorporated towns where during the previous year 5,000,000 pounds or more of tobacco were sold, $50; in case the sales amounted to less than 1,000,000 pounds, $10. Junk dealers, $50; canvassing for junk dealers, $25; retailers of tobacco, $5; common crier, $5; ship broker, $50; brokers dealing in options or futures, $200; stock brokers, $100; in cities of 5,000 to 10,000 inhabitants, $150, and in cities over 10,000, $250 for each office. Private bankers, capital $5,000 or under, $50; $5,000 to $10,000, $100; $10,000 to $20,000, $150; $20,000 to $30,000, $250; and $5 for each $1,000 over $30,000. Pawnbrokers, $250; lending money on household goods, furniture, etc., and insurance brokers, $100. Mercantile agencies, $250; undertakers, $25 (in towns and counties, $5); barbers 50 cents for each chair in excess of one, and $1 for one bathtub and 50 cents for each additional tub. Contractors, if gross amount of all orders or contracts aggregate $5,000, $5; $5,000 to $10,000, $10; $10,000 to $20,000, $15; $20,000 to $50,000, $20; $50,000 to $100,000, $50; $100,000 to $150,000, $100; over $150,000, $150. Architects, $25 (if income is less than $500, $10). Private entertainment house, $5, and an additional 5 per cent of the annual rental value of the house and furniture; eating houses, $25, and in addition 8 per cent of rental value between $100 and $1,000; and 5 per cent additional where rental value exceeds $1,000. Bowling saloons, $25, and $10 for each alley over one; if at watering place, 4 months or less, $12.50 for first, $5 for each additional alley; billiard saloons, $50, and $25 additional for each table over one; if in town of less than 1,000 inhabitants, $25 for first and $12.50 for each additional table; and if at watering place, 4 months or less, $25 for first and $12.50 for each additional; bagatelle saloon, $10, and $5 for each table over one.

Theaters, each performance, $3, or by week, $10 (in towns of less than 4,000 inhabitants, $1.50 for each performance, or $5 a week); for moving picture show and the like, where price of admission does not exceed 10 cents, $3 per week or $60 for one year; in towns of less than 2,000 inhabitants, $1 per day, $2 per week, $10 per year; shows, circuses and menageries—in towns of 1,000 inhabitants or less, for each performance, circus, $50; animal show, $10; side show, $5; in towns of 1,000 to 10,000 inhabitants, circus, $200; animal show, $20; side show, $10; in towns of 10,000 inhabitants or more, circus, $400; animal show, $25; side show, $15; but when above performances are given within the grounds of an agricultural fair, no license need be paid; carnivals or circuses giving performances outside the inclosure of an agricultural fair, the week before, during the week, or the week after such fair shall pay the sum of $250 for each performance; merry-go-rounds, $10 for each county or city where operated; public rooms, $20, in towns of 2,000 or more inhabitants; skating rinks, $5 to $10 per quarter; permanent amusement parks have the option of paying a tax of $400 for four months, $600 for eight months, or $800 for one year, in lieu of the foregoing taxes on amusements.

Attorneys at law—licensed less than five years, $15; licensed over five years, $25 (provided that no attorney whose receipts are less than $500 per annum need pay over $15). Physicians, surgeons, and dentists—licensed for less than five years, $10; licensed over five years, $15; in cities over 5,000 inhabitants, $25 (provided that when receipts are less than $500 per annum license tax is $10). Veterinary surgeons, $10. Vendors of medicines, etc., $25. Daguerrean and photograph artists and their agents, in a county or in towns of less than 2,000 inhabitants, $10; cities 2,000 to 10,000, $30; 10,000 to 20,000, $40; over 20,000, $50; for each additional county or city, other than the regular place of business, $5. Stallions and jackasses for letting to mares, $10; bulls, $2.50. Agents for renting houses in cities of over $5,000, $30; in towns less than 5,000 inhabitants, or in any one county, $10; labor agents, $25. Laundries, other than hand—in cities, $25; in counties and towns, $5; hand laundries, cities, $10; towns, $2.50. Storage and impounding house, $25; city of 5,000 inhabitants or over, $50; yards and wagon yards, $10 (only in cases where compensation of owner is more than $50 per year). Livery stables, in towns of less than 2,000 inhabitants, $15, and 50 cents for each stall in excess of 25; cities over 2,000 inhabitants, $25, and 50 cents for every stall therein; at watering places, one-half of above amounts; hack drivers, $10; in towns of not more than 1,000 inhabitants, $2.50; boarding and feed stables, $5 in towns of less than 2,000 inhabitants; $10 in cities of over 2,000; baggage wagon in cities of over 2,000 inhabitants, for each one-horse conveyance, $2.50; for each two-horse conveyance, $5.

Sewing machine agents, $200 for manufacturers and $5 for each representative more than one. Agents for the sale of manufactured implements or machines by retail, other than sewing machines, one county or city, $15; in each additional county or city, $10; persons paying a tax of not less than $30 to the state on capital employed in the manufacture of the implements mentioned are exempt; peddlers of manufactured implements and machines, other than sewing machines, $200, and $100 more for each additional county; peddlers of cook stoves, ranges, and clocks, $500, and $300 more for each additional county or city.

Slot machines (in which the element of chance does not enter), $10; for sale of agricultural products or cigars, $3; this tax does not apply to slot machines used at the place of business of any merchant who has paid his regular license, to pay telephones, nor to slot machines used for the purpose of selling sanitary drinking cups; dealers in pistols, dirks, or bowie knives, $20; gypsies who receive rewards for fortune telling, $200 for each county which they enter.

Liquor license.—To an organized social club having 30 members or more, $2 per member, but in no case to exceed the retail liquor license. Druggists pay a retail license to sell liquors, except that no license shall be required for liquor used in compounding medicines. Wholesale, all kinds, $1,250; malt liquor, wholesale only, $500; malt liquor, bar license, $250; retail, ardent spirits, $550; retail, watering place, $100; retail and shippers' license, $1,000; sample liquor merchant and each agent, $500; manufacture, mashing, and distilling less than 10 bushels per day, $60; 10 to 20 bushels, $150; 20 to 30 bushels, $300; 30 to 45 bushels, $400; 45 to 75 bushels, $500; 75 to 100 bushels, $700; 100 to 150 bushels, $900; 150 to 200 bushels, $1,000; 200 to 250 bushels, $1,200; 250 to 300 bushels, $1,400; and for each 100 bushels in excess of 300 at the rate of $600 for each 100 bushels so mashed per day. Manufacture of alcoholic liquors by direct fermentation and distillation from pomace or from cider or fruits, where the distillery is run less than three months, $25; three to six months, $30; more than six months, $75; manufacturing malt liquors, $500.

Manufacturers of cider with addition of preservatives, $100; retail cider, other than pure juice of the apple, $100 (if containing alcohol, spirits, wine, etc., the same licenses apply as for ardent spirits); rectifier of spirits, $750.

Selling soft drinks from soda fountain, towns and cities of less than 2,000 inhabitants, $2.50 for each fountain; towns and cities of over 2,000, $5 for each fountain; manufacturers of soft drinks at a place other than a soda fountain, $15.

Dealers in motor vehicles, $50; automobile license, 20 horsepower or less, $5; 20 to 45 horsepower, $10; over 45 horsepower, $20; motorcycle, $2. Chauffeur's license, $2.50; garage, in towns of less than 2,000 inhabitants, $15, and 50 cents for the storage capacity of each vehicle over five; in towns of 2,000 or more inhabitants, $25, and 50 cents for the storage capacity of each vehicle over five; in cities, $100, and $1 for the storage capacity of each vehicle over five.

Buying oysters for marketing, in barrels—less than 100 barrels, $2; 100 to 250 barrels, $4; 250 to 500 barrels, $5; 500 barrels and over, $7. For shucking or packing oysters—less than 1,000 gallons, $1.50; 1,000 to 10,000 gallons, $5; 10,000 to 25,000 gallons, $10; 25,000 to 50,000 gallons, $20; 50,000 to 100,000 gallons, $30; 100,000 to 200,000 gallons, $50; over 200,000, $100. Oyster tongers pay $2, but if using patent tongs, for each pair, $5. Oyster dredges, in certain waters, for boats 30 feet long and under, $5; over 30 feet long and under 5 tons, $7; for every gross ton estimated at 25 bushels capacity, $2.

Hunter's license, nonresidents, $10.

License to catch crabs, ordinary boat, $2; sailboat, $5; power boat, $25; picking or crating house, $10; canning or packing house, $25; for each boat used in buying crabs or for each person or firm engaged in marketing hard crabs by barrel or crate, $5.

License to fish.—Each sail vessel with purse net of not more than 400 meshes deep, $5; more than 400 meshes deep, $25; each steam vessel with purse net, $100; each pound net, $3; other small nets, $1; haul seine, $3; drift haul seine, $20; haul seine operated by steam power, $50; sturgeon gill net, $3; sturgeon haul seine, $25; nonresident catching bluefish by hand line, for market or profit, $2.

License for buying, marketing, or shipping scallops or clams, less than 20,000 scallops or clams, $2; 20,000 to 50,000, $5; 50,000 to 100,000, $10; over 100,000, $20.

Domestic corporations, other than public service corporations, pay fees for granting or extending charter where the authorized capital stock is $50,000 or under, $10; $50,000 to $3,000,000, 20 cents for each $1,000 thereof; $3,000,000 or over, $600. Mutual organizations with no capital stock but not strictly benevolent institutions, $25.

Domestic public service corporations, fees graduated according to capital stock, from $25 on a capital stock of $5,000 or less, to $5,000 on a capital stock of over $90,000,000.

Foreign corporations, fees for certificate of authority to do business, graduated according to capital stock, from $30 on $50,000, or less, to $5,000 on over $90,000,000. Foreign corporations without capital stock, $50.

Fees for registration: Every domestic (other than purely charitable) and every foreign corporation doing business in this state shall pay an annual registration fee, graduated according to capital stock, from $5 on $15,000 or less, to $25 on over $300,000.

Examination of banks: A fee for examination, graduated according to the capital, surplus, and undivided profits, ranging from $35 on $100,000 or less, to $155 on over $500,000.

Inspection of stock and poultry food, $20 annually. Certificate of examination: Doctor, $25; dentist, $2. Registration fee: Doctor, $1; pharmacist, or assistant, $5 and an an-

nual fee of $1; pharmacist's apprentice, an annual fee of 50 cents; dentist, $1.

The probate of every will or grant of administration, where the legal situs of estate for taxation is in the state, of estates of $1,000 or less, is taxed $1; every additional $100, 10 cents additional.

On every recorded deed and every contract relating to real estate and personal property recorded where the consideration is not more than $300, 50 cents; consideration or value of property $300 to $1,000, $1; over $1,000, per $100, 10 cents additional. Deed of release, 50 cents. Deeds of trust and mortgage are taxed on the amount of the obligation secured; railroad mortgages and those of other internal improvement companies are taxed upon such proportion of the consideration as the portion of the line, property, and works of such company in this state bears to the whole property conveyed by deed. Deeds of partition and deeds of release, 50 cents.

On contracts or agreements relating to the sale of rolling stock or equipment of a railroad corporation, 10 cents on every $100 or fraction thereof of the amount contracted for. But in case of a railroad lying only partly in the state, the tax is on that proportion of the amount contracted for as the Virginia mileage bears to the total mileage of the corporation.

Upon any original suit, except a suit in chancery, in a circuit or corporation court, or removed thereto from the justice's court, where amount does not exceed $500, there is a tax of $1; when debt or demand for damages exceeds $500, the additional tax per $100 is 10 cents.

Upon every appeal, writ of error, or supersedeas in a circuit court there shall be a tax of $3; in the supreme court of appeals the tax is $6; and the nonpayment of these taxes for 30 days from granting the appeal is cause for dismissal.

Upon every chancery suit originating in a corporation or circuit court the tax is $1.50.

Upon every writ of mandamus the tax is $3.

The payment of these taxes is a condition precedent to the issuing of any writ or docket, recording deeds or wills, or to granting letters of administration. The clerks receive a commission of 5 per cent for collection.

On the seal of the state a tax of $2 is charged; on seals of courts and notaries, $1. Collected by sale of adhesive stamps through county and city treasurers and county clerks who receive a commission of 5 per cent.

F. THE INCOME TAX.

Incomes in excess of $2,000, whether received or merely due within the year preceding the 1st of February, are to be ascertained by the commissioner of the revenue. "Income" includes all rents, salaries, interest upon notes, stocks, bonds, or other evidences of debt, of the United States or any other state, corporation, firm, or individual, less the interest due and paid by the owner during the year; the amount of all premiums on gold, silver, or coupons; the amount of sales of live stock and meat of all kinds, less the value thereof at the time of assessment of same; the amount of sales of wood, butter, cheese, hay, tobacco, grain, or other vegetables and agricultural productions grown or produced by said person; all other gains and profits derived from any source whatever.

"Deductions" from income, in addition to the sum of $2,000, are: All losses sustained during the year; all sums actually paid for labor, fences, taxes, and rents; all fertilizers and all clover or other seed purchased and used by any person who cultivates land; and provided further, that only one deduction of $2,000 is to be made from the aggregate income of any family, except that guardians may make a separate deduction of $2,000 in favor of each ward out of the income coming to said ward.

This tax is at the rate of 1 per cent and is collected as the general property tax.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the assessment and equalization are, in general, the same for county as for state purposes.

When bonds are issued for the purpose of building or improving roads or bridges the county is empowered to exempt the bonds from local taxation. When so exempted from local taxation the bonds are assessable for taxation by the state.

2. *Rate—*

The rate is fixed by the board of supervisors; but for roads it is not to exceed 40 cents upon every $100, nor for schools, 40 cents.

The board of supervisors may also levy a district tax of not to exceed 40 cents on the $100 for roads, and the same for schools.

Counties may secure state aid to the extent of one-half the cost of highways to be laid out under the supervision of the state highway commissioner.

Counties may levy up to a rate of 90 cents on property in any magisterial district to provide a sinking fund for the payment of maturing county bonds issued for road improvement in that district.

3. *Collection—*

In the same manner as for state taxes.

B. POLL TAXES.

The general assembly may authorize the board of supervisors of any county to levy a capitation tax not to exceed $1 on all male persons over 21 years of age. Fifty cents of the state poll tax is paid into the county treasury where collected.

C, D, AND E. THE INHERITANCE TAX, CORPORATION TAXES, AND BUSINESS TAXES, LICENSES, AND FEES.

There are no such taxes or licenses for county purposes except that dogs are taxed at 50 cents for one male or spayed female and $1 for an unspayed female. This tax is kept in a fund from which owners whose sheep have been killed by dogs are remunerated, but any excess not needed for the above use may be applied to any other use. This tax is included on the personal property tax bill of the owner.

F. THE INCOME TAX.

The counties do not share in the income tax.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the assessment are the same for municipal as for state taxation.

2. *Rate—*

The council levies so much as is, in its opinion, necessary to meet all sums chargeable to the town or city.

3. *Collection—*

Same as for state taxes.

B. POLL TAXES.

One-third of the state poll tax is paid into the city treasury, when collected therein; the general assembly may authorize the city council to levy an additional capitation tax of not to exceed $1, which can be applied to any use, as they shall determine.

C, D, E, AND F. THE INHERITANCE TAX, CORPORATION TAXES, BUSINESS TAXES, LICENSES AND FEES, AND THE INCOME TAX.

Municipalities do not share in these taxes.

School Revenues.

The schools are administered according to school districts, which are subdivisions of the cities and counties.

State school funds.—The state funds applicable to public free school purposes are apportioned to the counties and cities of the state separately. These funds embrace the annual interest on the literary fund, consisting of the proceeds of the sale of public lands donated by Congress, escheated property, fines, etc.; that portion of the capitation tax provided for in the constitution to be paid into the state treasury and not returnable to the counties; and a tax on property of not more than 50 cents on $100. These funds are applied exclusively to the maintenance of primary and grammar schools.

County school levy.—The board of supervisors levies upon property in the county for county school purposes a tax of not less than 10 nor more than 40 cents on $100.

District school levy.—The board of supervisors of the county levies a tax for district school purposes not to exceed 40 cents on $100 of assessed value therein.

County and district levy may be increased, on vote of electors, to 50 cents. The district revenues are augmented by such dog tax as may be applied to school purposes by the board of supervisors, or donations or the income arising therefrom or any other funds that may be set apart for district school purposes. School districts may issue bonds for building construction, which bonds shall not exceed 17 per cent of the assessed value of the property in the district and shall be a lien on the school buildings to be erected. The interest on the bonds are to be paid out of the tax levies of the districts, and a certain sum shall be set aside annually as a sinking fund to be established for the purpose of meeting the principal when it matures.

County school boards if in possession of funds derived by gifts or devise may loan sums under $1,000 to school districts, apportioned according to school population, for the construction of school buildings.

Municipal levies.—The council may raise, by property and capitation taxes, which are not to exceed 50 cents on the $100 nor $1 per poll, moneys for the support of public schools within the municipality.

WASHINGTON.[1]

Washington depends almost entirely upon the general property tax for state, county, and municipal revenues. There are, however, municipal poll taxes, for streets and roads, and an inheritance tax on both lineal and collateral transfers. No special corporation taxes are levied, except a small one on franchises and one on insurance premiums.

CONSTITUTIONAL PROVISIONS.

ARTICLE VII.

SEC. 1. All property in the state, not exempt under the laws of the United States, or under this constitution, shall be taxed in proportion to its value, to be ascertained as provided by law. The legislature shall provide by law for an annual tax sufficient, with other sources of revenue, to defray the estimated ordinary expenses of the state for each fiscal year. And for the purpose of paying the state debt, if there be any, the legislature shall provide for levying a tax annually sufficient to pay the annual interest and principal of such debt within 20 years from the final passage of the law creating the debt.

SEC. 2. The legislature shall provide by law a uniform and equal rate of assessment and taxation on all property in the state, according to its value in money, and shall prescribe such regulations by general law as shall secure a just valuation for taxation of all property, so that every person and corporation shall pay a tax in proportion to the value of his, her, or its property: *Provided*, That a deduction of debts from credits may be authorized: *Provided, further*, That the property of the United States, and of the state, counties, school districts, and other municipal corporations, and such other property as the legislature may by general laws provide, shall be exempt from taxation: *And provided, further*, That the legislature shall have power, by appropriate legislation, to exempt personal property to the amount of $300 for each head of a family liable to assessment and taxation under the provisions of the laws of this state of which the individual is the actual and bona fide owner.

SEC. 3. The legislature shall provide by general law for the assessing and levying of taxes on all corporation property as near as may be by the same methods as are provided for the assessing and levying of taxes on individual property.

[1] This compilation is derived mainly from the following sources:
Pierce's Code, a compilation of all the laws in force in the state of Washington, including the regular and extraordinary session of 1901; compiled by Frank Pierce: Seattle, Wash., 1902.
The session Laws to 1913.
Remington and Ballinger, Annotated Codes and Pierce's Washington Code, Annotated, 1912.
Statutes of Washington, 1910.

SEC. 4. The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the state shall be a party.

SEC. 5. No tax shall be levied except in pursuance of law; and every law imposing a tax shall state distinctly the object of the same, to which only it shall be applied.

SEC. 6. All taxes levied and collected for state purposes shall be paid in money only into the state treasury.

SEC. 7. An accurate statement of the receipts and expenditures of the public moneys shall be published annually in such manner as the legislature may provide.

SEC. 8. Whenever the expenses of any fiscal year shall exceed the income, the legislature may provide for levying a tax for the ensuing fiscal year, sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses of the ensuing fiscal year.

SEC. 9. The legislature may vest the corporate authorities of cities, towns, and villages with power to make local improvements by special assessment, or by special taxation of property benefited. For all corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes, and such taxes shall be uniform in respect to persons and property within the jurisdiction of the body levying the same.

ARTICLE XI.

SEC. 9. No county, nor the inhabitants thereof, nor the property therein, shall be released or discharged from its or their proportionate share of taxes to be levied for state purposes, nor shall commutation for such taxes be authorized in any form whatever.

SEC. 12. The legislature shall have no power to impose taxes upon counties, cities, towns, or other municipal corporations, or upon the inhabitants or property thereof, for county, city, town, or other municipal purposes, but may by general laws vest in the corporate authorities thereof the power to assess and collect taxes for such purposes.

ARTICLE II.

SEC. 28. This section prohibits the legislature from enacting any special or private laws for assessment or collection of taxes or for extending the time for collection thereof.

ARTICLE XXVI.

This article provides that lands belonging to citizens of the United States residing without the limits of the state shall never be taxed at a higher rate than the lands belonging to residents thereof, and that Indians owning lands in severalty are to be taxed unless their land is exempted by grant.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The township assessor, elected for one year.
(2) The county assessor, elected for two years.
(3) The county treasurer, elected for two years, who is also the collector of all taxes, whether levied for state, county, school or any other purposes.
(4) The county auditor, elected for two years.
(5) County board of equalization, composed of the three county commissioners (elected biennially), the county assessor, and the county treasurer.
(6) State board of equalization, composed of the state auditor, the commissioner of public lands, and the three members of the state tax commission.
(7) State board of tax commissioners, composed of three members appointed by the governor for a term of four years, exercises general supervision over all taxation and assesses the operating property of railroads and telegraph companies, car companies, and express companies; also takes charge of and superintends the enforcement of the inheritance tax laws, and the collection of the taxes provided for therein.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property excluded and exempt.—All property now existing or that is created or brought into the state is subject to taxation, except as expressly exempted.

(1) Realty, for the purposes of taxation, includes the land and all structures and fixtures thereon and rights and privileges appertaining thereto, quarries, and fossils in and under the land. The operating property, except rolling stock and other movable property, belonging to railroad companies, except street railroads.

(2) Personalty, for the purpose of taxation, includes all goods, chattels, stocks or estates; all improvements upon lands the fee of which is still vested in the state or the United States, or in any railroad company.

Leases of real property and leasehold interests therein for a term less than the life of the holder shall be held to be personal property. The rolling stock and movable property of railroads and all the operating property of street railroads is assessed and taxed as personal property.

Standing timber owned separately from the ownership of the land shall be held to be personal property; also fish trap, pound net, reef net, set net, and drag seine fishing locations.

Mortgages, notes, accounts, moneys, certificates of deposit, tax certificates, judgments, state, county, municipal, and school district bonds and warrants are not considered as property subject to taxation, and no deduction is allowed on account of an indebtedness owed.

Gas and water mains laid in roads, streets, and alleys shall be held to be personal property.

Ships registered in any United States customhouse in the state and used exclusively in trade with other states and countries are not deemed property within the state nor subject to taxation.

(3) Exemptions, in addition to public property, are: Cemeteries; churches whose seats are free and the grounds thereof used exclusively for church purposes not exceeding 120 by 200 feet; property of Young Men's Christian Associations; free public libraries; parsonages on church grounds; schools and colleges with real estate not over 10 acres, supported in whole or in part by gifts, endowments or charity, the income of which is devoted to the purposes of such institution, and which are open to all persons upon equal terms; personal property of heads of families up to $300; fire engines, implements, and buildings of fire companies; fruit trees not nursery stock and not forest trees artificially grown; all ships, vessels, and boats in actual construction and material actually set apart for the construction of same; orphanages, orphan asylums, institutions for the reformation of fallen women, homes for the aged and infirm, and hospitals for the care of the sick.

b. Assessment.—In general, there is but one complete assessment roll for state, county, and municipal taxes, the county being the unit, and the assessment is made with reference to March 1.

Real property is assessed biennially in the even-numbered years, the list and valuation being made by the assessor, but corrections are made annually. Personalty is assessed annually on the basis of a detailed list made by the taxpayer under oath. The assessor, however, fixes the "true and fair" value, which is that which the property would bring at private sale. The penalty for failure to furnish a list or for a false list is $10 to $2,000.

The county assessors meet annually with the state board of tax commissioners to confer upon means of improving the method of assessing property.

Public lands not being devoted to the public use, benefited by local improvements, may be assessed and taxed therefor, the same as other property.

The real and personal property of corporations are by the constitution to be assessed as that of individuals.

The assessment of the operating property of all railroad companies is made by the state board of tax commissioners on the basis of sworn statements furnished by the officers of the railroad companies and its own investigations. On the completion of the equalization of railroad property by the state board of equalization the tax commissioners apportion the value of such property to the counties in such proportion as the length of the line in each county bears to the entire length of line within the state.

The property of telegraph companies within the state is assessed by the state board of tax commissioners and is assessed and taxed as personal property at the capital of the state. On the completion of the equalization by the state board of equalization the tax commissioners apportion the value of the properties of such telegraph companies to the counties through which the lines thereof extend in the proportion which the length of the line in each county bears to the entire length of line within the state computed on a wire mileage basis. The county auditor in like manner distributes the value so certified by the state tax commissioners to the several cities, towns, road districts, and other taxing districts in his county entitled to a proportionate value thereof.

Telephone companies are assessed under the general property tax, on the basis of sworn statements furnished by them.

Lumber and saw logs are assessed in the district where they are situated on the 1st of March of the assessment year.

Bank stock is assessed to the owners in the town where the bank is located, whether the owner is there resident or not, a proportionate part of the value of real estate of the bank being deducted. The bank pays these taxes.

Itinerant merchants are required to notify the county assessor, and to pay a tax assessed at the rate assessed for state, county, and local purposes upon their stock in trade.

c. Equalization.—The county board of equalization equalizes between individuals and townships, corrects the county roll, and adjusts the valuation of real property and of a class or classes of personal property.

The state board of equalization equalizes between counties. It has the power to classify property and to raise or lower the assessment of any class of property in any county.

2. *Rate—*

The state board of equalization apportions the amount of tax for state purposes among the several counties in proportion to the valuation as equalized by the board. The tax is levied, however, upon the valuation fixed by the local officials and the county auditor fixes the rate necessary to raise the amount so apportioned and places the same on the tax rolls of the county. The maximum tax for general state purposes is not to exceed 3 mills on the dollar of the property valuation of the entire state as determined by the state board of equalization.

For the purpose of raising revenue for the repair and construction of highways and bridges a tax of one-half mill on the dollar of all taxable property in the state shall be levied.

3. *Collection—*

In general, all taxes for state, county, municipal, school, road, and other purposes are extended upon the tax books of the county, and the county treasurer is the receiver and collector. Taxes on real estate are a lien on the property from the assessment day, March 1, and are due May 31, after which date they become delinquent and 15 per cent interest is charged. If, however, they are paid before March 15 a rebate of 3 per cent is allowed, or if one-half is paid before May 31 the rest may go over until November 30.

Taxes on personal property are a lien on all real and personal property after the first Monday in February, the day on which they become due. If they are not paid on or before the 15th day of March, the county sheriff may distrain the goods and chattels, with interest at the rate of 15 per cent from the 15th day of March.

B. POLL TAXES.

There are no state poll taxes.

C. THE INHERITANCE TAX.

All property within the jurisdiction of the state and any interest therein, whether belonging to inhabitants or not, passing by will or the intestate laws of this or any other state, or by deed, grant, gift, or sale made or intended to take effect after the death of the grantor or donor to any person, in trust or otherwise, except bequests for the relief of aged, indigent, and poor people, for the maintenance of the sick or maimed, or for the education or support of orphans or indigent children which shall be exempt, is subject to a tax at the following rates:

(1) On all sums above the first $10,000, where the same passes to the father, mother, husband, wife, lineal descendant, adopted child or his lineal descendant, 1 per cent.

(2) On all sums not exceeding the first $50,000 which passes to collateral heirs to and including the third degree of relationship, 3 per cent, and to collateral heirs beyond the third degree or to strangers to the blood, 6 per cent.

(3) On all sums above the first $50,000, and not exceeding $100,000, to collateral heirs to and including the third degree, 4½ per cent; to collateral heirs beyond the third degree and strangers to the blood, 9 per cent.

(4) On all sums in excess of the first $100,000 to collateral heirs to and including the third degree, 6 per cent; to collateral heirs beyond the third degree and strangers to the blood, 12 per cent.

The state board of tax commissioners exercises general supervision over the collection of inheritance taxes. This tax is payable to the state treasurer for the use of the state. It is to be paid within 15 months of the decedent's death; if not so paid, it shall draw interest at the legal rate until paid.

D. CORPORATION TAXES.

On domestic and foreign corporations having capital stock there is an annual franchise tax in the form of a license fee of $15. Other than the general property tax, there are no other corporation taxes, except on private car, express, and insurance companies.

Every private car company doing business in the state is required to pay a sum in the nature of an excise or privilege tax to the state general fund, to be computed by taking 7 per cent of the amount fixed by the state board of tax commissioners (on the basis of sworn statements) as the gross receipts of such private car company for business done within the state for the year. This does not exempt any private car company from the assessment and taxation of their tangible property in the manner provided by law.

Express companies are required to pay a privilege tax of 5 per cent of their gross receipts for business done within the state which is credited to the state general fund. This does not exempt them from the tax on tangible property.

All insurance companies, except life, pay a tax of 2¼ per cent of their gross premiums after deducting the amount paid policyholders as returned premiums. Life insurance companies pay 2 per cent of the amount of premiums collected, less dividends actually returned to holder. If any insurance company has 50 per cent or more of its assets invested in any bonds or warrants of the state, or bonds or warrants of any county, city, or district in the state, or in taxable property within the state, the tax shall be but 1 per cent on the amount collected.

Title insurance companies are required to deposit certain securities with the state treasurer and pay an annual fee equal in amount to one-tenth of 1 per cent of the value of the securities so deposited. Such companies are also taxed on the basis of the physical property owned in the county where such property is located and not otherwise.

Every fraternal benefit society is exempt from state, county, district, municipal, and school tax, other than tax on real estate and office equipment.

E. BUSINESS TAXES, LICENSES, AND FEES.

Insurance agent.—Fire, per annum, $2; marine, per annum, 50 cents; all other, $5; commission merchant, $10. Fish commissioner collects following fees for license to fish, etc.: Drag net, not exceeding 250 feet in length, $2.50; 250 feet to 400, $7.50; 400 feet to 500, $15; each additional foot, 3 cents; each first-class pound net, trap, or seine on Columbia River, $25; second-class, $10; each first-class purse seine, $50; each second-class purse seine, $25; each gill net or drift net, $5; each set net, $2.50; each pound net, trap, or weir on Willapa Harbor and Grays Harbor, $10; each pound net, etc. (except on the Columbia River, Willapa Harbor, or Grays Harbor), $50; each scow fish wheel, $15. Stationary fish wheels, $25 for first-class wheels and $10 for second-class wheels. In addition to the foregoing license charges the owner of each trap, pound net, or fish wheel operated in the waters of the state pays $1 for each 1,000 fish so taken. Persons using scows and boats in buying fish on the Columbia River, except for regular canneries and packing plants, pay $100 each to the state of Washington, and to the fish commissioner a fee of $50. Persons engaged in buying or selling, etc., salmon, other than canneries, etc., pay a license fee of 90 cents per ton, but not less than $2.50. Persons, etc., dealing in salmon to the extent of 100 tons taken from the waters of Grays Harbor pay a license fee of $90. License for salmon canneries: Canneries packing less than 10,000 cases per annum, $100; 10,000 to 15,000, $150; 15,000 to 20,000, $200; 20,000 to 25,000, $250; 25,000 to 30,000, $300; 30,000 to 40,000, $400; 40,000 to 50,000, $500; 50,000 to 60,000, $600; 60,000 to 70,000, $700; 70,000 to 80,000, $800; 80,000 to 90,000, $900; 90,000 to 100,000, $1,000. New canneries pay a license of $250 until their pack is definitely known. Hunter's license (for state): Resident, $5; nonresident, $10; nonresident alien, $50. Milk wagons, per annum, $1; sale of milk at a stand, per annum, $1. Peddlers of medicines, per month, $1 to $25.

The state receives 10 per cent of all liquor licenses. There is also a state privilege tax of $25 annually in addition to city licenses for steamships, dining cars, etc. License for aliens to carry firearms, $15.

Filing articles of incorporation of foreign and domestic corporations, $25; supplemental articles, $10; appointment of agent, $5; certified copies of articles of incorporation, etc., $5; copies of documents, etc., in excess of 20 folios, 15 cents per folio; certificate under seal of the state, $2; recording articles of incorporation, 15 cents per folio; filing and recording trade-mark, $5; patent of land issued by the governor, $1 for each 160 acres; recording miscellaneous papers, 10 cents per folio and $5 in each case; automobile, registering certificate, $2; renewal, $2; recording trade-mark, $2; medicine, practice, examination fee, $50; dentistry, practice, examination fee, $25; veterinary surgery, examination fee, $15, registration fee, $5; registered nurse, fee for registration, $5.

Insurance companies.—Filing articles of incorporation, $25; amended articles thereto, $10; issuing certificate of authority annually, $10; for each renewal certificate of authority, $10; filing annual statement, $20; other miscellaneous papers, $1; agent's license, $2; solicitor's license, $2; copy of papers, per folio, 20 cents; broker's license, $100; agent's license for unauthorized companies, $100; certificate under seal, $1; fraternal benefit society annual license, $10.

Odd Fellows, Masons, Knights of Pythias, etc., societies, exempt.

Trust companies.—Filing articles of incorporation, issuing certificate of authority, renewal of such certificate and filing each semiannual statement, $10 each; examination, $25; copies of papers, per folio, 20 cents.

Attorneys, examination and admission to practice law, $25.

Physicians, application for license, $25.

Pharmacists, reciprocity registration fee, $8; examination and registration, $10; annual fee not to exceed $2; assistant, $1; shopkeeper (not a pharmacist), annual license, $6.

Optometrists, examination fee, $25; certificate of registration, $15; certificate of exemption, $10.

Certified public accountants, examination, not to exceed $25; annual fee, $1.

Embalmers, examination, $5; registration, $5; annual fee, $1.

Barbers, examination, $5; annual fee, 50 cents.

Banks, annual examination, $25, together with one two-hundredths per cent of deposits, in no case to exceed $200.

Surety companies, $50.

Hotels, annual inspection, 20 rooms or less, $5; 21 to 100 rooms, $10; more than 100 rooms, $20.

Inspection of oil, 40 cents per barrel for the first 2 barrels; 30 cents for the next 3; 20 cents for the next 5; 15 cents for the next 15 barrels, of not less than 50 gallons, and one-fifth of 1 cent for each gallon thereafter.

Annual license for conducting private fish hatchery, $25; annual license to take oysters for seed purposes, $5.

Annual license for nursery and tree dealers, $5; agent, $1.

Examination and enrollment of pedigree of stallions and jacks, and license, $2; renewal of license, $1 (biennially), transfer certificate, 50 cents; duplicate license certificate, 50 cents.

For each fertilizing ingredient contained or claimed to exist in commercial fertilizer offered for sale, analysis fee, $6.

F. THE INCOME TAX.

There is no income tax in Washington.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the assessment and equalization are the same for the county taxes as for the state. But county taxes are levied on the assessment as equalized by the county board only.

2. *Rate—*

The county taxes are levied by the county commissioners, who, within certain statutory limitations, fix the rate for county, school, and road and bridge purposes.

Upon proper petition to the state highway commissioner public highways may be laid out, and the county assessors may assess the benefited property 15 per cent, or such greater per cent as may be stated in such petition.

Road districts may be formed and the county commissioners may levy a tax not to exceed 10 mills for road and bridge purposes.

The county commissioners may levy an additional tax not to exceed 4 mills for turnpike road purposes.

3. *Collection—*

Collection of county taxes is made by the county treasurer, as are state and township taxes.

B, C, AND D. POLL, INHERITANCE, AND CORPORATION TAXES.

The counties levy no poll, inheritance, or special corporation taxes.

E. BUSINESS TAXES, LICENSES, AND FEES.

Hawkers of goods, on foot, per annum, $100; one horse and wagon, $150; 2 horses and wagon, $250; any other conveyance, $300. Billiard tables and bowling alleys, outside of incorporated limits of city or town, $25 to $250. Ferries, $1 to $100; saloons, outside of incorporated limits of cities or towns, $300 to $1,000; butchers, $10; county hunter's license, resident, $1; nonresident, $5; nonresident alien, $50.

Municipal Revenues.

The divisions of local government are: Cities of four classes—(1) those having over 20,000 inhabitants, (2) 10,000 to 20,000 inhabitants, (3) 1,500 to 10,000 inhabitants, (4) 300 to 1,500 inhabitants; townships, where such organization is adopted by the county, embracing that portion of the county outside of incorporated cities and towns; school districts; and road districts.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the methods of assessment are, in general, the same as for state taxes, with certain local peculiarities in procedure. In cities of the first class that portion of the county assessment roll embracing persons and property subject to taxation in the city constitutes also the roll for the city. Cities of the second, third, and fourth classes may have independent rolls made by city assessors to conform, as nearly as possible, to the county roll. The township assessor performs the same duties as the county assessors.

The cities appoint committees of their city councils to equalize or assist the county board in equalization.

2. *Rate—*

In cities the city council fixes the rate for municipal revenues, with various restrictions; in cities of the second classes the maximum rate is 15 mills. In cities of the third and fourth classes, 10 mills.

Cities of the first class may levy a tax not to exceed 1½ mills for park purposes. In cities of the second, third, and fourth classes the council may levy a tax not to exceed 1 mill for park purposes.

Cities of the third class may levy a tax not to exceed one-half of 1 mill for support of the poor.

The city council of each city or town may levy a tax not to exceed one-half of 1 mill for maintenance of the firemen's relief and pension fund.

Municipal corporations having a population of less than 20,000 may levy for current expenses a tax not to exceed 10 mills; for payment of indebtedness, 6 mills.

In townships taxes are levied by the electors in town meetings, subject to certain restrictions.

The following taxes may be levied in townships: Not to exceed 2 mills for township's purposes, exclusive of roads and bridges, in any township having a taxable valuation of $100,000 or more, and an amount which shall not exceed $150 in any township having a taxable valuation less than $100,000, and the rate of such tax shall not exceed one-half of 1 per cent in any township. The rate for roads and bridges in any town shall not exceed 5 mills.

3. *Collection—*

Collection is, in general, the same as for state and county taxes. In cities of the first, third, and fourth classes the county treasurer is ex officio collector of the city taxes. Cities of the second class have their own collectors. Delinquent taxes are enforced by the same procedure as delinquent county and state taxes.

Road district taxes may be paid in labor.

B. POLL TAXES.

Every male person over 21 and under 50 years of age residing outside the limits of an incorporated city or town for six months or more is required to pay, by

March 1 in each year, a road poll tax of $2. In practice, this is a county poll tax, receipts therefrom being included with those of the county.

Cities and towns may levy an annual street poll tax not exceeding $2 in cities of the third and fourth classes. These taxes are payable in labor in lieu of money. Officers and enlisted men of the state national guard are exempt from poll tax.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no inheritance or special corporation taxes for municipalities.

E. BUSINESS TAXES, LICENSES, AND FEES.

The city councils of cities and towns may license, for purposes of regulation and revenue, all and every kind of business, including the sale of intoxicating liquors.

Dog license, per annum, not to exceed $2; liquor licenses, per annum, $300 to $1,000 (10 per cent must be paid to the state); billiard tables, not to exceed $25 each.

School Revenues.

The constitution prescribes a permanent school fund, derived from various sources, the income of which is to be applied to the current use of the common schools. Among them is 35 per cent of the county liquor licenses.

A state tax is to be levied by the state board of equalization, which, with the income from the permanent fund, is to make up $10 for each child of school age in the state, but the tax is not to exceed 5 mills on the dollar. The counties levy a school tax not to exceed 5 mills on the dollar, which, together, with the state apportionment to the counties, is to make up $10 for every child of school age in the county.

A district school tax of 1 per cent of the assessed property value may be levied by the board of directors of the district. No tax exceeding 2 mills can be levied without a vote of the electors of the district. Other special taxes for the payment of indebtedness (not to exceed 3 mills), interest on school bonds, and a sinking fund for payment of same may be levied by district supervisors or county commissioners.

A state tax of $1\frac{1}{100}$ mills on the dollar valuation of taxable property is to be levied by the state board of equalization for the benefit of state institutions for higher education.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

The assessed value of all taxable property within the state was fixed at not to exceed 50 per cent of its true value.

Agricultural development districts were provided for and district commissioners were authorized to levy an annual tax of not to exceed 2 mills on each dollar for the use of such districts.

A law was enacted forbidding the use of the value of public service corporations as fixed by public service commission for the purpose of taxation, for the purpose of making rates for service.

Municipal corporations having an existing indebtedness were authorized to levy and collect annually a tax for the payment of current expenses of not to exceed 15 mills in addition to a tax of 6 mills for the indebtedness fund.

The dog license was fixed at $2 per annum, and a trading stamp license at $6,000 per annum in each county was provided for.

WEST VIRGINIA.[1]

West Virginia depends primarily on the general property tax for county and municipal purposes, and on an extensive system of taxes and licenses on various acts, businesses, and occupations for state purposes, the general property tax for state purposes being almost entirely removed. There are, besides, a collateral inheritance tax and a system of annual license or franchise taxes on corporations, including insurance, telegraph and telephone, and express companies. There is a poll tax for both the school and road fund. An amendment to the state constitution passed in 1913 prohibiting the sale of all intoxicating liquors in the state went into effect July 1, 1914.

[1] This compilation is derived mainly from the following sources:
West Virginia Assessment Laws, Acts of the Legislature, 1904, 1905, and 1907. (In pamphlet form, furnished by T. C. Townsend, state tax commissioner.)
West Virginia License Laws, containing changes made by the regular and extraordinary sessions of the legislature of 1907. Prepared by C. W. Dillon, former tax commissioner.
The Code, and the Session Laws to 1913.

CONSTITUTIONAL PROVISIONS.

ARTICLE X.

Sec. 1. Taxation shall be equal and uniform throughout the state, and all property, both real and personal, shall be taxed in proportion to its value, to be ascertained as directed by law. No one species of property from which a tax may be collected shall be taxed higher than any other species of property of equal value; but property used for educational, literary, scientific, religious, or charitable purposes, all cemeteries, and public property may, by law, be exempted from taxation. The legislature shall have power to tax, by uniform and equal laws, all privileges and franchises of persons and corporations.

Sec. 2. The legislature shall levy an annual capitation tax of $1 upon each male inhabitant of the state who has attained the age of 21 years, which shall be annually appropriated to the support of free schools. Persons afflicted with bodily infirmity may be exempted from the tax.

Sec. 5. The power of taxation of the legislature shall extend to provisions for the payment of the state debt, and interest thereon, the support of free schools, and the payment of the annual estimated expenses of the state; but whenever any deficiency in the revenue shall exist in any year it shall, at the regular session thereof held next after the deficiency occurs, levy a tax for the ensuing year sufficient, with the other sources of income, to meet such deficiency, as well as the estimated expenses of such year.

Sec. 7. County authorities shall never assess taxes in any one year the aggregate of which shall exceed 95 cents per $100 valuation, except for the support of free schools, payment of indebtedness existing at the time of the adoption of this constitution, and for the payment of any indebtedness, with the interest thereon, created under the succeeding section, unless such assessment, with all questions involving the increase of such aggregate, shall have been submitted to the vote of the people of the county and have received three-fifths of all the votes cast for and against it.

Sec. 8. (No county, city, school district, or municipal corporation may become indebted to an amount exceeding 5 per cent of the assessed valuation of the property in such civil division, nor without providing for a direct annual tax sufficient to pay annually the interest on the debt, and the principal thereof within 34 years.)

Sec. 9. The legislature may, by law, authorize the corporate authorities of cities, towns, and villages, for corporate purposes, to assess and collect taxes; but such taxes shall be uniform with respect to persons and property within the jurisdiction of the authority imposing the same.

OFFICERS.

The officers most directly concerned with taxation are:

(1) The county assessor, who is elected for a term of four years, together with assistants appointed by the assessor, with the advice and consent of the county court.

(2) The county board of review and equalization, composed of three persons appointed, one every two years, by the state board of public works to hold office for six years.

(3) The state tax commissioner, appointed by the governor for a term of six years.

(4) The state board of public works, consisting of the governor, the attorney general, the superintendent of free schools, the auditor, and the treasurer, together with the secretary of state, who is ex-officio secretary of the board, forms the state board of assessment, with power to assess railroads, pipe lines, car lines, telephone and telegraph companies, express companies, and railroad toll bridges.

(5) The sheriff, who is elected for a term of four years, and who acts as tax collector and treasurer for the county.

(6) The sergeant, who, together with the city treasurer, is tax collector for the town, city, or village.

State Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All property in the state is subject to taxation, unless specially exempted.

(1) Real property includes all interest in land and its appurtenances, except chattel interests and chattels real.

(2) Personal property includes all fixtures attached to land, if not included in the valuation of land; all things of value, movable and tangible, which are subjects of ownership; and money, credits, investments, and all chattels, real and personal; all personal property belonging to residents of the state, whether situated in or out of the state, and all personal property in the state, although owned by persons residing out of the state, is subject to taxation. But personal property permanently located in another state, where it is subject to taxation, is not to be taxed here.

"Money" includes not only coin but all notes, tokens, or papers which circulate or are used in ordinary transactions as money or currency, and deposits which, either in terms or effect, are payable in money on demand.

"Credits" includes all claims and demands, whether owing upon bond, note, certificate, book account, or otherwise, and whether due or not, whether payable in money, property, labor, or services except only such demands as are included in the term "money."

"Investments" includes stocks, bonds, and securities of the United States or this state, or any other state, nation, or government, or of any city, town, county, district, railroad, or other corporation; and any share, portion, interest, or stock in the capital, joint fund, assets, or profits of any company, whether incorporated or not, or in a steamboat or other vessel, or in any adventure, business, or undertaking.

(3) Property exempted, in addition to public property, includes: Churches and parsonages; cemeteries; public and family libraries; property used for educational, charitable, and benevolent purposes; all real estate not exceeding one-half acre and the buildings thereon used exclusively by any college society as a library or as a domitory or club room; personal property on hand to be used in the subsistence of live stock on hand, and dead victuals laid away for family use.

b. Assessment.—There is, in general, but one assessment for state, county, and municipal purposes. The county is the assessment district. All property is assessed annually as of the 1st day of April, at its true and actual value. Taxpayers are required to list their property under oath and to declare the value of each item, subject to revision by the assessors and boards of review and equalization.

Failure to render statement subjects the taxpayer to a penalty of double assessment and to loss of remedy for correction of assessment; a false list renders taxpayers liable to forfeiture, for each year, of 10 per cent of the property not listed at any time during five previous years. Refusal to be examined by the assessor is subject to a penalty of $25 to $100.

The assessor, at the time of making assessment of property, collects the school and road capitation taxes and is allowed 10 per cent commission for collecting same. Delinquent capitation taxes are reported to the sheriff for collection.

Real property subject to a mortgage or deed of trust to secure a debt or liability is assessed to the mortgagor until the mortgagee or trustee takes possession, after which he is deemed the owner. Personal property mortgaged or pledged is likewise assessed to the party who has possession.

In listing money, credits, or investments, the debts owed as principal debtor may be deducted, but not those for which the taxpayer is liable merely as surety, indorser, or guarantor, unless the principal debtor is insolvent. Investments and credits are to be rated at their market or proper value.

The property of corporations generally, except as otherwise shown below, is assessed to the company in the same manner

as that of individuals, and the shareholders of such corporations are not assessed with their shares or interest in the capital stock.

Ferries and toll bridges, other than railroad, on which a toll or fare is charged, are assessed at ten times their annual value for purposes of taxation.

Railroad companies, including street railways, car companies, express companies, pipe-line companies, and telephone and telegraph companies, are taxed upon the general property valuation. Property used in the operation of such companies is assessed by the board of public works of the state on the basis of elaborate returns by such companies. Property not used in the operation of such companies, but owned by them, is assessed like property of individuals. The assessment of the state board is apportioned to the counties, and by the counties to school districts and municipalities.

The shares of stock of banks, trust companies, or national banking associations are assessed where the banks are located, to the several holders thereof. Debts of shareholders when sworn to may be deducted from the assessment.

c. Equalization.—The board of review and equalization in each county reviews and equalizes the assessment as returned by the assessor. It may of its own motion correct the roll and hear and pass on applications for relief. Appeal lies to the circuit court. Railroads and other corporations assessed by the state board of public works aggrieved by the assessment may appeal to the circuit court of the county where the property is located. The prosecuting attorney and the state tax commissioner represent the interest of the state in such appeals.

2. *Rate*—

The rate of taxation for state and state school purposes is fixed by the board of public works at not less than 1 and not more than 3 cents on the $100.

3. *Collection*—

Both state and county taxes are collected by the sheriff of the county, or by collectors appointed by the auditor.

Taxes are a lien on real estate from the time the assessment is made, and are due and payable during October and November at a discount of 2½ per cent, during December at face, and after January 1 interest is added at the rate of 10 per cent per annum. Delinquent taxes may be collected by distraint of personal property, by garnishment of money or property in the hands of another, and by sale of lands by the sheriff.

Taxes assessed by the board of public works on railroads and other corporations, both state and local, are collected by the state auditor, and if delinquent on the 20th of January, are then collected by the sheriff with a penalty of 10 per cent.

The sheriff or collector is compensated by fees out of the taxes collected.

B. POLL TAXES.

The assessor is to list for taxation all male persons over 21 years of age residing in his district on April 1. The rate of the tax is $1 per year. The county court may exempt persons from the poll tax on account of bodily infirmity.

C. THE INHERITANCE TAX.

A tax, payable into the treasury of the state, shall be imposed upon the transfer, in trust or otherwise, of any property, or interest therein, real, personal, or mixed, if such transfer be—

1. By will or by the intestate laws of the state, from any person dying seized or possessed of the property while a resident of this state.

2. By will or the intestate laws of the state of property within the state, or within its jurisdiction, and the decedent was a nonresident of the state at the time of his death.

3. By a resident or by a nonresident, when such nonresident's property is within the state or within its jurisdiction, by deed, grant, bargain, sale, or gift made in contemplation of death or intended to take effect after death.

4. By the owner of any property which he owns or to which he is absolutely entitled, so as to be vested in himself and any other person jointly to the effect that the title therein or in some part thereof vest on survivorship in such other person, a transfer shall be deemed to occur and to be taxable under the provisions of this act upon the vesting of such title.

5. When any person shall exercise a power of appointment derived from disposition of property, such appointment when made shall be deemed a transfer taxable in the same manner as though the property belonged to donee of such power.

When the property or any beneficial interest therein passes by any such transfer where the amount of the property shall exceed in value the exemption hereinafter specified, and shall not exceed in value $25,000, the tax hereby imposed shall be—

1. Where the person or persons entitled to any beneficial interest in such property shall be the wife, husband, child, lineal descendant, or lineal ancestor of the decedent, at the rate of 1 per centum of the market value of such interest in such property;

2. Where the person or persons entitled to any beneficial interest in such property shall be the brother or sister of the decedent (and term brother or sister shall not include a brother or sister of the half blood), at the rate of 3 per centum of the market value of such interest in such property;

3. Where the person or persons entitled to any beneficial interest in such property shall be further removed in relationship from the decedent than wife, husband, child, lineal descendant, lineal ancestor, brother, or sister, at the rate of 5 per centum of the market value of such interest in such property.

The foregoing are for convenience termed the primary rates. When the amount of the market value of such property or interest exceeds $25,000, the rate of tax upon such excess shall be as follows:

1. Upon all in excess of $25,000 and up to $50,000, one and one-half times the primary rates.

2. Upon all in excess of $50,000 and up to $100,000, two times the primary rates.

3. Upon all in excess of $100,000 and up to $500,000, two and one-half times the primary rates.

4. Upon all in excess of $500,000, three times the primary rates.

The following exemptions from the tax are allowed:

1. All property transferred to a person or corporation in trust or to be used solely for educational, literary, scientific, religious, or charitable purposes, or to the state or any county or municipal corporation thereof for public purposes, provided the property so transferred is used for the purposes herein mentioned in this state, shall be exempt.

2. Property of the market value of $15,000 transferred to the widow of the decedent, and $10,000 transferred to the husband, child, lineal descendant, or lineal ancestor of the decedent shall be exempt.

A transfer of personal property of a resident of the state which is not therein or within the jurisdiction thereof, at the time of his death, shall not be taxable, under the provisions of this act, if such transfer or the property be legally subject in another state or country to a tax of a like character and amount to that hereby imposed, and if such tax be actually paid or guaranteed or secured, in accordance with law in such other state or country; if legally subject in another state or country to a tax of like character, but of less amount than that hereby imposed, and such tax be actually paid, or guaranteed or secured, as aforesaid, the transfer of such property shall be taxable under this act to the extent of the difference between the tax thus actually paid, guaranteed, or secured and the amount for which such transfer would otherwise be liable hereunder, or within the jurisdiction thereof.

D. CORPORATION TAXES.

In addition to the general property tax certain taxes are levied on corporations.

Corporations incorporated and having their principal place of business in the state (termed resident corporations) are required to pay an annual license tax, based on the authorized capital stock, as follows: $5,000 or less, $10; over $5,000 to $10,000, $15; over $10,000 to $25,000, $20; over $25,000 to $50,000, $25; over $50,000 to $75,000, $45; over $75,000 to $100,000, $50; over $100,000 to $125,000, $55; over $125,000 to $150,000, $60; over $150,000 to $175,000, $70; over $175,000 to $200,000, $75; over $200,000 to $300,000, $90; over $300,000 to $400,000, $105; over $400,000 to $500,000, $120; over $500,000 to $1,000,000, $170; more than $1,000,000, $170, and $60 on each additional $1,000,000 or fraction thereof.

Domestic corporations which are nonresident are required to pay an annual license tax on authorized capital stock as follows: $10,000 or less, $15; over $10,000 to $25,000, $20; over $25,000 to $50,000, $30; over $50,000 to $75,000, $40; over $75,000 to $100,000, $50; 25 cents additional on each $1,000 up to $1,000,000; if over $1,000,000, $275, and 20 cents on each additional $1,000 up to $2,000,000; if over $2,000,000, $475, and 10 cents on each $1,000 additional up to $4,000,000; if over $4,000,000, $675, and $50 on each additional $1,000,000 or fraction thereof.

Foreign building and loan associations, and mutual investment or trust companies, pay to the commissioner of banking for certificate of authority an annual fee of $25.

Foreign corporations, on complying with certain conditions, are entitled to the rate of "resident" domestic corporations, according to the proportion of their capital stock which is represented by the property owned and used in this state, when the value of the property amounts to $5,000 or over, but if the value of such property is less than $5,000 the rate is the same as for "nonresident" corporations. In no case is the license tax to be less than $10.

This tax does not apply to foreign insurance, telegraph, telephone, or express companies, for which an annual license tax is specially provided.

Foreign insurance companies pay a license tax of 2 per cent of the amount of premiums collected in the state, less returned premiums.

Other fees paid by insurance companies:

Fire insurance companies (except farmers' mutual and other like companies) doing business in the state pay one-half of 1 per cent of gross premiums receipts for maintenance of state fire marshal's department. This tax may be omitted any year that the existing fund is large enough to maintain the department for the current year.

Insurance commissioner.—For valuation of domestic life insurance companies' policies, 1 cent on each $1,000. There is a retaliatory rate for valuation of life policies for companies organized under the laws of another state.

All insurance companies, annual license fee, $10; for receiving and filing annual reports, $10; certificate of valuation or conditions to be filed in another state, $5; for each agent's certificate of authority, $5.

Foreign fraternal benefit societies for first certificate of authority, $25.

Foreign express companies pay $1.50 per mile of road over which they carry expressage; foreign telegraph and telephone companies, $1 per mile of wire over which messages are sent as a common carrier between towns. In no case is the license tax to be less than $100.

Corporations holding more than 10,000 acres of land in the state pay a tax of 5 cents per acre in excess of 10,000 acres.

Corporations chartered for educational, literary, agricultural, scientific, religious, or charitable purposes, and cemeteries and lodges not incorporated for profit, are exempt.

Domestic insurance, express, telegraph, and telephone companies are taxed as other corporations.

E. BUSINESS TAXES, LICENSES, AND FEES.

The state requires licenses for various acts, occupations, and businesses, some of which are issued by the auditor and others by the county court and the county clerk of the county in which the business is to be carried on, except in incorporated cities, villages, or towns, in which cases the licenses are issued by the council for city purposes, and by the county court or county clerk, depending upon the nature of the license, for state purposes. It is the duty of the county clerk to ascertain from time to time all persons in his district from whom state licenses are required; but it is also the duty of every person to apply to the county clerk and cause himself to be properly listed and licensed. The license tax year is computed from July 1 to June 30 of the following year.

The following taxes are levied annually unless otherwise stated, and become a part of the state fund:

Hotel, tavern, or restaurant, 3 per cent of the yearly rental value of the premises occupied; distilleries of whisky and brandy, $100, and, in addition, 25 cents for every barrel manufactured, except apple and peach brandy; brewers of porter, ale, or beer, or any drink of like nature, $100, and, in addition, 15 cents for every barrel of beer, etc., manufactured. Sale of brewed liquors—wholesale, $750 for not over 5,000 barrels and 15 cents for each additional barrel; spirituous liquors other than brewed liquors, $750 in addition to all other taxes; retail, $600; sale of both spirituous and brewed liquors

at retail, $1,000; to solicit orders for same, $100; wholesale and retail of other than brewed liquors, not to be drunk on premises, $1,000; liquors on railroad cars, $25; assignment of liquor license, $50; sale of both spirituous and brewed liquors combined, wholesale, $1,250, and every barrel of beer sold in excess of 4,000, 15 cents in addition, municipal tax for same to be limited, maximum $750. Refreshments in theaters, $700. Sale of apple or peach brandy distilled from fruit grown in the state, $100. Real estate and stock brokers, $50; bucket shops, $500; cigarettes, $10; other preparations of tobacco, $5. Druggists, $2; bowling alleys for public use, $40 for the first alley and $15 for each additional alley; billiards and the like, $50 for the first table and $25 for each additional table; junk dealers, $25; agents of junk dealers, $10; trading-stamp companies, $500; trading house-boats, $10; penny slot machines, not gambling devices, $2; other slot machines, $5; automobiles, $10; merry-go-rounds, etc., 1 week, $10; 4 months, $30; 6 months, $50; 1 year, $100; dealers in pistols, dirks, etc., $10; money broker, $25; bagatelle, $25 for the first table, $10 for each additional table; roller skating rinks for public resort—cities of 10,000 inhabitants or more, $100; 5,000 to 10,000, $50; less than 5,000, $25. Public parks (admission fee), counties of over 30,000 inhabitants, $25; 20,000 to 30,000, $15; less than 20,000, $10. Fortune tellers, $5; labor agency, $100. Auctioneers, $5, with $2 additional for every 1,000 inhabitants of the town. Pawnbrokers, $100; dealers in patent rights, $10; collection agencies, $10. Peddlers—without a horse, $50; with one horse, $150; with two or more horses, $200. Traveling salesmen—sewing machines and stoves, $10; musical instruments, $20; lightning rods, $10; book agents, $10; shooting galleries, $25. Theatrical performances, in cities of 20,000 inhabitants or over, $20 per week; over 10,000 but under 20,000 inhabitants, $15 per week; and in cities of 10,000 inhabitants and less, $10 per week; on boats exclusively on navigable streams, $100 annually. Theaters and opera houses, in cities of 30,000 or more inhabitants, three months, $100; six months, $130; one year, $160; 20,000 but under 30,000 inhabitants, three months, $75; six months, $100; one year, $125; 10,000 but under 20,000 inhabitants, three months, $40; six months, $60; one year, $100; 5,000 but under 10,000 inhabitants, three months, $20; six months, $30; one year, $40; 2,000 but under 5,000 inhabitants, three months, $10; six months, $15; one year, $20; less than 2,000 inhabitants, three months, $5; six months, $8; one year, $10. Circuses or menageries, or both, or wild west show, for each exhibition, 30,000 inhabitants or more, $75; 10,000 to 30,000, $50; 5,000 to 10,000, $30; less than 5,000, $10; trained animal or dog and pony show, 30,000 inhabitants or more, $30; 10,000 to 30,000, $20; less than 10,000, $10. Side shows, each entertainment or exhibition, 10,000 inhabitants or more, $10; less than 10,000, $5. Magic lantern, $2.50; street carnival, $5 a week for each entertainment for which a fee is charged. Any other shows, each exhibition, 10,000 or more inhabitants, $10; less than 10,000, $5; 10-cent show, $4 a day or $20 a week. Chauffeur's license, $2. Registered nurse, $5.

Teacher's examination fee, $2; county institute enrollment fee, $1. Certificate to practice dentistry, $25; annual fee, $2. Pharmacist examination fee, $10; biennial fee, $1; assistant pharmacist examination fee, $5; biennial fee, 50 cents. Permit for assistant pharmacist to conduct drug store in town of 500 inhabitants or less, $5. Optometry, examination fee, $15; certificate of registration, $10; certificate of examination, $5. Certified public accountant, certificate fee, $25. Tax on state seal, $1. Social clubs keeping liquor for sale to members, where membership is 200 or less, $200; over 200 members, $300; if a club operates less than a year, then proportionate amount is charged but not computed for less than three months.

F. THE INCOME TAX.

There is no income tax in West Virginia.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the assessment thereof are the same for county as for state purposes.

2. *Rate—*

The levy for county purposes is made by the county court. The rate is limited to 30 cents per $100, which may be increased by the court for certain specific purposes or by submitting the question to a vote of the people. But the total rate for county and district road purposes must not exceed 55 cents on $100 valuation.

3. *Collection—*

Collection is made by the sheriff at the same time and in the same manner as that of the state taxes. Taxpayers may apply to the county court and appeal to the circuit court for relief against county levies improperly charged.

The sheriff or collector receives a commission on county levies graduated according to the amounts collected.

B. POLL TAXES.

The county court may also levy, for road purposes, a poll tax of $1 on every male inhabitant over 21 and under 50 years of age.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no inheritance or corporation taxes for the county.

E. BUSINESS TAXES, LICENSES, AND FEES.

The county court levies annually a per capita tax on dogs listed by the assessor, of 50 cents on males, 50 cents on spayed females, and $1.50 on unspayed females. Resident hunter's license, 75 cents; nonresident, $15; clerk's fees additional, 25 and 50 cents, respectively.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—The property included and the assessment thereof is the same as for state and county taxation.

2. *Rate—*

Taxes are to be levied by the council, the rate being limited to not to exceed 35 cents on every $100 valuation, with power to make a special levy of 10 cents per $100 for the payment of outstanding indebtedness, and additional levies when authorized by a majority vote of the people. The total indebtedness of a city or municipality must not exceed 5 per cent of the total value of the taxable property therein.

3. *Collection—*

Collection is made by the sergeant in a manner analogous to that for state taxes.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no inheritance or corporation taxes for cities, towns, or villages.

E. BUSINESS TAXES, LICENSES, AND FEES.

The council of a city, town, or village may impose a license for any act, business, or occupation for which a state license is required. The statutes limit the liquor license to $750.

School Revenues.

The constitution provides a permanent "school fund," and the interest on this fund, a portion of the revenue from the state general property tax, the proceeds from all forfeitures, confiscations, and fines, and from the annual capitation tax of $1, are set apart as a general school fund and distributed to the several counties in proportion to the school population. The county superintendents then apportion the shares of their respective counties to the school districts.

Every magisterial district of the county is a school district. For a building fund the board of education of the district is to levy a tax annually on the fourth Tuesday in August on the property taxable for state and county purposes in the district, the tax not to exceed the rate of 15 cents on every $100 of the state and county assessment; and for the teachers' fund, not to exceed 25 cents on every $100. Provisions are made for additional levies as follows:

For high school purposes in cities of less than 10,000 inhabitants and for special debt levies, each not to exceed 10 cents per $100; for lengthening school term where graded or high schools are formed in densely populated districts, 5 cents per $100; and for other purposes by submitting same to a vote of the electors.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

The rate of levy for state and state school purposes was increased from a maximum of 3 cents to that of 10 cents on $100 valuation.

A "Blue Sky" law, regulating investment companies, was enacted and provides for certain fees, etc.

An annual license tax was imposed upon hydroelectric companies, amounting to $\frac{1}{12}$ of 1 per cent per month of the authorized capital stock until such company begins the sale of electric energy, after which time the license tax is to be 1 per cent of the gross income.

A public service commission was created, and fees to be fixed by the state auditor and to be paid by the public service corporations for its support were provided for. This commission is to have control of the regulation of all public service corporations in the state.

Inspection fees were provided for in the case of hotels and restaurants.

WISCONSIN.[1]

Wisconsin depends principally upon the general property tax for county and municipal revenue and for state revenue when there is a deficiency in corporation taxes paid directly into the state treasury for the support of the state government. Steam railroads and telegraph companies are assessed by the state tax commission and all taxes therefrom paid to the state. The street and interurban railways are assessed by the same commission, and 85 per cent of the taxes go to the municipalities in which they are operated and 15 per cent to the state. License fees on the gross receipts of telephone and insurance companies are imposed in lieu of all other taxes except those on real estate.

The inheritance tax law adopted in 1899 was declared unconstitutional in 1902. The legislature in 1903 passed a new inheritance tax law which has been upheld by the court. The poll tax is a local road tax only.

An income tax law was enacted by the legislature in 1911.

CONSTITUTIONAL PROVISIONS.

ARTICLE VIII.

SEC. 1. The rules of taxation shall be uniform and taxes shall be levied upon such property as the legislature shall prescribe. Taxes may also be imposed on incomes, privileges, and occupations, which taxes may be graduated, and progressive and reasonable exemptions may be provided.

SEC. 5. The legislature shall provide for an annual tax sufficient to defray the estimated expenses of the state for each year; and whenever the expenses of any year shall exceed the income the legislature shall provide for levying a tax for the ensuing year sufficient, with other sources of income, to pay the deficiency as well as the estimated expenses of such ensuing year.

SEC. 6. (Taxes are to be provided for in laws authorizing creation of public debts by the state, not exceeding $100,000, which will pay the principal and interest within five years.)

SEC. 8. (Any law which imposes, continues, or renews a tax must be passed by yeas and nays in a house of which three-fifths of all the members elected are required to constitute a quorum.)

ARTICLE VII.

SEC. 18. The legislature shall impose a tax on all civil suits commenced or prosecuted in the municipal, inferior, or circuit courts, which shall constitute a fund to be applied toward the payment of the salary of judges.

[1] This compilation is derived mainly from the following sources:

Wisconsin Statutes of 1898, edited by Arthur L. Sanborn and John R. Berryman: Madison, Wis., 1898.

Supplement to the Wisconsin Statutes of 1898, edited by Arthur L. Sanborn and John B. Sanborn: Madison, Wis., 1906.

Laws of Wisconsin, 1899–1913: Madison, Wis., 1899–1913.

ARTICLE IV.

SEC. 31. The legislature is prohibited from enacting any special or private laws for assessment or collection of taxes, or for extending the time for collection thereof.

ARTICLE X.

SEC. 4. Each town and city shall be required to raise by tax, annually, for the support of common schools therein, a sum not less than one-half the amount received by such town or city, respectively, for school purposes from the income of the school fund.

ARTICLE XI.

SEC. 3. (Municipal corporations are to be restricted by the legislature in their power of taxation, assessment, and contracting debts. Any county, city, town, village, school district, or other municipal corporation incurring any indebtedness must before or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest on the debt as it falls due and also the principal within 20 years.)

OFFICERS.

The officers most directly concerned with taxation are:

(1) Assessors; in towns and villages, elected for one year; in cities, chosen by the city council or elected, for one or two years. For each city of 150,000 inhabitants or more (Milwaukee) a board of appraisers is provided for, to be chosen by the tax commissioners from among the city's assessors.

(2) The town, city, and village treasurers, who act also as tax collectors. These officers are compensated by salary since 1911; formerly, by fees.

(3) The board of review, in towns, composed of the supervisors and clerks; in cities of the first class (Milwaukee), of the mayor, clerk, tax commissioner, and assessor or assessors; in other cities, of the mayor, city clerk, and such other officer or officers, other than the assessors, as the common council shall determine; in villages, of the president, clerk, and such other officer or officers as the village board shall by ordinance determine.

(4) The county clerk, elected for two years.

(5) The county board, composed of supervisors, elected annually from cities and towns.

(6) The assessors of incomes appointed by the state tax commission by state districts. These officers in addition to assessing incomes supervise the local property assessors.

(7) The state tax commission, composed of three commissioners appointed by the governor for terms of eight years. The commission exercises wide supervisory powers over state and local taxation. It prescribes forms to be used by the local taxation officers in their work, and from them receives statistical data. The commission, as a board of assessment, assesses the property of railroad companies, express companies, street railway companies, and gas, electric light, water, heat, and power companies operated in connection with them, steam railroads, freight line companies, equipment companies, sleeping car companies, and telegraph companies.

The commission also has supervision over the administration of the inheritance tax.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All property in the state except such as is exempted is subject to this tax. (For a description of taxes levied against railroads, telegraph companies, etc., for state purposes see Corporation taxes.)

(1) Real property includes not only the land itself, but all buildings, fixtures, improvements, rights, and privileges appertaining thereto, all swamp and overflowed lands contracted for sale by any county board, and all public lands sold and not patented, without regard to any balance of purchase money.

The right to enter and take away mineral from lands, when granted or reserved by deed, is taxable separately from the land upon the request of either the owner of the fee or the owner of the reservation.

A mortgage is deemed an interest in the real estate and assessed as such where the land lies. At the option of the mortgagor both said interests may be assessed and taxed together, without separate valuation, to the mortgagor or occupant, the same as unencumbered real estate. The interest of the mortgagor is to be assessed only for such value as remains after deducting the interest assessed to the mortgagee. The exemption of credits on account of debts owing does not apply to mortgage credits assessed as an interest in real estate.

(2) Personal property includes toll bridges, saw logs, timber, and lumber, either upon land or afloat; steamboats and ships at home or abroad; buildings upon leased lands, if not assessed with the lands; ferryboats, including their franchises; ice, cut and stored; and all goods, wares, chattels, and effects having any real or marketable value not included in the term "real property." Since 1907 the assessors have been specifically charged with the duty of ascertaining the number and value of all automobiles, and assessing them as personal property.

Improvements on homestead lands of settlers on the public domain are to be assessed as personal property.

Treated as personal property is all property, including real estate and franchise, owned or used by persons or corporations engaged in supplying municipalities with water, electric light, and gas, as well as all property used in the improvement of navigation of public streams or the conservation and regulation of height and flow of waters in public reservoirs.

The exemptions, in addition to public property, may be considered under two general heads:

(1) Property exempted by the income tax law of 1911: Moneys and credits of all kinds, including stocks and bonds; household goods and furnishings; farm, orchard, and garden machinery, implements, and tools; watches, pianos, organs, melodeons, and other musical instruments; bicycles; personal ornaments and jewelry habitually worn.

(2) Property exempted prior to and remaining exempt independent of the income tax law, in addition to public property, includes: Personal property owned by any religious, scientific, literary, or benevolent association, and the real property necessary for location and convenience of buildings of same, not exceeding 10 acres; the lands, not exceeding 10 acres, together with the buildings thereon, not within an incorporated town or village, owned by corporations organized for moral, religious, and educational purposes and used exclusively for the holding of annual encampments or assemblies; the lands of a chartered college or university, not exceeding 40 acres; parsonages; public libraries; organizations, other than libraries, formed to encourage the fine arts, and which have no capital stock and pay no dividend; state or county agricultural societies; fire engines and buildings and grounds of organized fire companies; the property of Indians who are not citizens, except lands held by them by purchase; cemeteries and the property of cemetery associations; pensions; stock in corporations paying taxes on their property; wearing apparel; family portraits; private libraries, not exceeding $200 in value; one sewing machine; firearms for use of owner, not exceeding $25 in value; not exceeding five colonies of honey bees; poultry $25 in value; farm animals born after December 31 next preceding the day of assessment; one watch, carried by owner; personal property of insurance companies; growing crops, including medicinal plants; provisions and fuel sufficient to sustain a family for six months; the Home of the Friendless in Milwaukee; all personal property and real property, up to 120 acres, of the Home for Feeble Minded at Watertown; fair grounds; tree belts; public parks; monument grounds; armories; zinc-producing plants for three years; the Turner societies; capital stock, installments paid in, and securities of any mutual savings fund or loan association; public art galleries; capital stock of certain cooperative societies; personal property of certain trust or annuity corporations; Milwaukee Orphan Asylum; plank or toll roads; boulevards and pleasure grounds held in trust for cities; Lawrence Institute of Wisconsin; lands, not exceeding 40 acres, planted in forest trees (exempt for 30 years); memorial halls, owned and occupied by Grand Army of the Republic, Soldiers' Memorial Associations, Women's Relief Corps, or Sons of Veterans organizations, providing there be in the hall a memorial tablet and inscribed thereon all the known names of all the enlisted men of a given town, city, or county who died in the service during the Civil War.

b. Assessment.—The assessment or valuation of property with the exception of railroads, street railways, telegraphs, and property of sleeping car and express companies, which is assessed by the state tax commission, is made by the local assessors in the towns, villages, and cities, and refers in the case of real estate to any date between May 1 and the time of the sitting of the board of review; in the case of personal property to the 1st day of May, except that saw logs, timber, railway ties, or telegraph poles owned by nonresidents, may be assessed at any time during April. A separate roll by counties is made up by the state board of assessment and is the basis of the apportionment of state taxes.

Real and personal property is to be valued annually by the assessor, either from actual view or the best information available, at the full value that could be obtained at private sale.

Real property belonging to benevolent associations, and leased to another, which would be exempt if used by such associations, is assessed to the lessee.

Real property omitted from assessment in any year may be assessed for such year during any of the three next succeeding years.

A mortgage is taxable as an interest in the real estate; but the mortgagor may in the deed elect to have assessed to him, together with his own interest, that of the mortgagee. Most of the mortgages executed in recent years contain this provision.

The assessor enters, in separate columns, land; improvements, including such fixtures as are not included under personal property; and in other columns the several classes of personal property. He has authority to examine the taxpayer under oath as to personal property. If the assessor has reason to believe that there is other property liable to taxation he may add to the aggregate valuation of personal property such amount as he estimates to be just and equitable.

Personal property is, in general, assessed in the assessment district in which the owner resides. If the owner be a nonresident but has an agent in the state, the personal property is assessed in the assessment district in which the agent resides. Assessed where located are merchants' goods, wares, commodities kept for sale; manufacturers' stock; buildings on leased land when the buildings are personal property; farm implements, live stock, farm products other than grain in warehouse; cordwood, all saw logs, timber, railroad ties and lumber; and all personal property owned by nonresidents having no agent in the state. Personal property ordinarily assessed at the residence of the owner, is, when held by copartners, joint owners, or owners in common, who reside in different assessment districts, assessed in the district in which they have their principal office or place of business; and if there be no such principal office or place of business, then in the assessment district in which the personal property is located.

Shares of stock in incorporated banks, and in trust, annuity, and guaranty companies, as well as the capital of every private bank, are liable to assessment and taxation as personal property in the district where the bank or other institution is located. This tax may be paid by the bank or company, in which case it has a lien on the shares of stock for the amount of taxes paid. The tax on shares and capital is in lieu of all taxes on the bank's surplus, property, and assets, except real estate.

In assessing shares of stock in any incorporated bank the assessor determines their total true cash value according to his best judgment; if the bank owns its banking building, the assessed value thereof, including the land upon which the building is located, if owned by the bank, is deducted from the total value of such shares. The remainder, or the whole thereof if the bank does not own such building, divided by the total number of shares of stock is taken as the valuation for assessment of such shares. No deduction is made on account of any other real estate. There is no direct assessment of the personal property of banks.

Corporations, except when otherwise provided, are assessed on their property in the same manner as individuals. Stock in corporations so taxed is not taxable.

The fixtures and appurtenances of waterworks, and gas and electric light plants, and the franchises thereof, not owned by municipalities, nor carried on in connection with the operation of street railways, nor carried on for the exclusive use of the person or company engaged therein, are assessed together as a single item or unit at a meeting of all the assessors into whose assessment districts the utility extends. The valuation is then apportioned to the several assessment districts in accordance with the proportion of the property located and business transacted in each assessment district.

Railroads, street railways, private car companies, and express companies are assessed by the state tax commission on the basis of sworn statements of the officers of the company and on its own investigations. The extent and operation of the general property tax as applied to these public service corporations are more fully treated under the head of Corporation taxes. (See D. Corporation taxes.)

The tax commission also exercises general supervision over the administration of the assessment and tax laws of the state and advises and directs the assessors, boards of review, etc., in their work. Whenever, upon complaint made, and after a summary hearing, it shall appear to the tax commission that the assessment of property in any assessment district is not in substantial compliance with law and that the public interests will be promoted by reassessment, the commissioners have authority to order a reassessment of all the taxable property in such district to be made by persons appointed for that purpose by said commissioners.

The commission may entertain and determine appeals from equalizations made by county boards.

Public utilities extending into more than one assessment district, but locally taxable, come directly under the supervision of the commission, and the public utility companies may appeal directly to the commission as a board of review.

A statement in detail of the taxes levied in each town, city, village, and county must annually, by the third Monday in December, be filed by the clerk of each county and minor subdivision with the tax commission. The commission supplies the necessary blanks. The minor subdivision statements are sent through the county clerk, who keeps a copy of them. When the statements are not transmitted within the time specified a messenger may be sent therefor.

c. Equalization.—The board of review of the towns and cities equalizes the assessment between individuals of the municipality and corrects the assessment roll. It can change not only the valuation of specific property assessed, but also the aggregate valuation of any kind or class of property.

In its proceedings the board is empowered to compel, by subpoena, the attendance of witnesses, and the production of books, inventories, schedules, papers, or documents.

The county board adjusts and equalizes the valuation of all taxable property within the county.

The state tax commission equalizes the assessment as between different counties according to the relative values, and for this purpose may employ experts to make careful investigations. The valuation assigned each county is the basis for the apportionment of state taxes.

2. *Rate*—

The legislature provides for such annual tax upon the aggregate valuation of the state as is sufficient to meet the estimated expenses of the state for each year, and the deficiency, if any, from the previous year. The sum to be raised is apportioned by the secretary of state among the several counties in proportion to the relative valuation of the property in each county as determined by the state board.

For drainage purposes, assessments may be levied and collected as other taxes.

To provide funds for new capitol, heating plant, and warehouse, there is levied an annual tax upon the general property of the state, in each year for nine successive fiscal years, of $450,000, beginning June 30, 1908.

3. *Collection*—

All taxes for state, county, school, and local purposes are collected by town, city, or village treasurers. Taxes become a lien upon lands from the date of warrant in the tax roll authorizing the collection.

Taxes not paid by February 1 are subject to a penalty of 2 per cent, which is paid into the treasury together with the tax. The treasurer may collect by distraint and sale of goods or chattels or bring an action to collect the tax on personal property. Lands upon which taxes are unpaid are returned as delinquent to the county treasurer, and such county treasurer after advertising such sale may sell on the third Tuesday in May any lands upon which taxes are delinquent.

Where lands are sold on or before January 1 the tax, unless otherwise by contract provided, is charged to the grantee; where sold after January 1, to the grantor.

B. POLL TAXES.

There is no state poll tax.

C. THE INHERITANCE TAX.

SEC. 1. A tax is imposed on any transfer of property, real, personal, or mixed, or any interest therein or income therefrom, to any person, association, or corporation, in the following cases:

1. When the transfer is by will or by the intestate laws of the state, from any person dying seized or possessed of the property while a resident of this state.
2. When the transfer is by will or intestate laws of the state of property within the state, or within its jurisdiction, and the decedent was a nonresident of the state at the time of his death.
3. When the transfer is of property made by a resident or by a nonresident, when such nonresident's property is within the state, or within its jurisdiction, by deed, grant, bargain, sale, or gift, made in contemplation of death or intended to take effect after death.
4. When any person becomes entitled to property by any such transfer made before or after the passage of this chapter.
5. When any person shall exercise a power of appointment, derived from disposition of property made before or after the passage of this chapter, such appointment when made shall be deemed a transfer taxable in the same manner as though the property belonged to the donee of such power.
6. This tax shall be computed on the true and full value in money of the property.

SEC. 2. When the property or any beneficial interest therein passes by any such transfer, where the amount of the property shall exceed in value the exemption hereinafter specified and shall not exceed in value $25,000, the tax is—

1. Where the person or persons entitled to any beneficial interest in such property shall be the husband, wife, lineal issue, lineal ancestor of the decedent or any child adopted as such in conformity with the laws of this state, or any child to whom such decendent for not less than 10 years prior to such transfer stood in the mutually acknowledged relation of a parent: *Provided, however*, Such relationship began at or before the child's fifteenth birthday, and was continuous for said 10 years thereafter, or any lineal issue of such adopted or mutually acknowledged child, at the rate of 1 per cent of the clear value of such interest in such property.
2. Where the person or persons entitled to any beneficial interest in such property shall be the brother or sister or a descendant of a brother or sister of the decedent, a wife or widow of a son, or the husband of a daughter of the decedent, at the rate of 1½ per cent of the clear value of such interest in such property.
3. Where the person or persons entited to any beneficial interest in such property shall be the brother or sister of the father or mother or a descendant of a brother or sister of the father or mother of the decedent, at the rate of 3 per cent of the clear value of such interest in such property.
4. Where the person or persons entitled to any beneficial interest in such property shall be the brother or sister of the grandfather or grandmother or a descendant of the brother or sister of the grandfather or grandmother of the decedent, at the rate of 4 per cent of the clear value of such interest in such property.
5. Where the person or persons entitled to any beneficial interest in such property shall be in any other degree of collateral consanguinity than is hereinbefore stated, or shall be a stranger in blood to the decedent, or shall be a body politic or corporate, at the rate of 5 per cent of the clear value of such interest in such property.

SEC. 3. The foregoing rates in section 2 are for convenience termed the "primary" rates. When the amount of the clear value of such property or interest exceeds $25,000 the rates of tax upon such excess shall be as follows:

1. Upon all in excess of $25,000 and up to $50,000 one and one-half times the primary rates.
2. Upon all in excess of $50,000 and up to $100,000, two times the primary rates.
3. Upon all in excess of $100,000 and up to $500,000, two and one-half times the primary rates.
4. Upon all in excess of $500,000, three times the primary rates.

SEC. 4. Exemptions: The following exemptions from the tax are hereby allowed:

1. All property transferred to municipal corporations within the state for strictly county, town, or municipal purposes, or to corporations of this state organized under its laws, solely for religious, charitable, or educational purposes, which shall use the property so transferred, exclusively for the purposes of their organization, within the state, shall be exempt.
2. Property of the clear value of $10,000 transferred to the widow of the decedent, and $2,000 transferred to each of the other persons described in the first division of section 2 shall be exempt.
3. Property of the clear value of $500 transferred to each of the persons described in the second subdivision of section 2 shall be exempt.
4. Property of the clear value of $250 transferred to each of the persons described in the third subdivision of section 2 shall be exempt.
5. Property of the clear value of $150 transferred to each of the persons described in the fourth subdivision of section 2 shall be exempt.
6. Property of the clear value of $100 transferred to each of the persons or corporations described in the fifth subdivision of section 2 shall be exempt.

SEC. 5. This tax is and remains a lien upon the property transferred until paid. The tax is to be paid by the county treasurer to the state treasurer for the use of the state, the county treasurer retaining for the use of the county out of all taxes so paid, 5 per cent on the first $50,000; 3 per cent on the next $50,000, and 2 per cent on all additional sums.

All taxes imposed by this act become due and payable at the time of transfer except when same is limited, conditioned, dependent, or determinable upon the happening of some contingency by reason of which the fair market value can not be ascertained at the time of transfer; in such case the tax shall accrue when the beneficiary comes into actual possession or enjoyment thereof. If this tax is paid within one year, a discount of 5 per cent is allowed; if not paid within 18 months from the accruing thereof, interest shall be charged and collected at the rate of 10 per cent per annum from the time of accrual.

D. CORPORATION TAXES.

The property of all railroad companies within the state is assessed annually by the tax commission, ex officio a state board of assessment, on the basis of sworn statements of the officers of the companies and on its own investigations. The rate of taxation levied on the companies' property is the average rate for state, county, and local purposes, determined by dividing the aggregate of such taxes by the aggregate assessed value of the property of the state upon which such taxes are levied.

Property of railroad companies includes franchises, right of way, roadbed, track, stations, terminals, rolling stock, equipment, and all other real and personal property of such company, used or employed in the operation of the railroad or in conducting its business, and all title and interest in such property as owner, lessee, or otherwise.

In case of railroads partly within and partly without the state the commission assesses only the property within the state. In determining such value the commission is directed by statute to take into consideration the value of the whole system, the mileage of the whole system, and the mileage of the part within the state; together with such other information, facts, and circumstances as will enable the board to make a substantially just and correct determination.

Excepted from taxation by the tax commission and taxed like the property of individuals is real estate not adjoining the tracks, stations, or terminals or not necessarily used in operating the railroad; also grain elevators used in transferring grain between cars and vessels; coal docks, ore docks; and merchandise docks.

In the assessment of telegraph lines the following elements of value are considered: Real estate, right of way, poles, wires, cables, devices, appliances, instruments, franchises, and all other real and personal property of the company.

Where a telegraph company has its lines and system partly within and partly without the state, the method of arriving at the value of the portion within the state is the same as that stated above in the case of railroads.

The property of all street railway companies, and electric light, heat, and power companies operated in connection with them, and freight line companies, equipment companies, sleeping car companies, and telegraph companies, are assessed by the state tax commission on the basis of sworn reports and upon investigation by said commission, and are taxed on such assessment at the consolidated state and local rate as in the case of railroads. Fifteen per cent of the taxes on street railways is retained by the state and 85 per cent is distributed to the towns and villages within which the property of the company is located and through which the business is carried on, as near as possible in proportion to the property located and business transacted within each such town, city, and village.

"Sleeping car company" includes dining, buffet, chair, parlor, and palace car companies. From the actual value of the entire amount of capital stock used in the business is deducted the value of real estate used out of the state; this amount is

then divided by the total number of miles of railroad over which the cars are operated to obtain the value per mile, which is then multiplied by the number of miles over which the cars are run within the state. The result is taken as the actual value of the property within the state subject to taxation.

Express companies are assessed by the state tax commission upon the actual value of their property operated in the state in the same manner as car companies are assessed.

Telephone companies pay an annual license fee on gross receipts as follows: Where the gross earnings are $500,000 or over, 5 per cent; $300,000 and less than $500,000, 4 per cent; $100,000 and less than $300,000, 3 per cent; less than $100,000, 2½ per cent. Fifteen per cent of the license fee from exchange service is paid to the state treasurer for the use of the state and 85 per cent to the treasurer of the town, city, or village in which the exchange is located. The total license fee from toll-line service is paid to the state treasurer for the use of the state. Should the license fee paid on the total gross receipts of any telephone company amount to less than 5 cents for each telephone instrument in use, then a tax of that amount is imposed, payable to the state.

Trust, annuity, and guaranty companies pay to the state treasurer as an annual license fee the sum of $500 by the 1st of March and, in addition thereto, 3 per cent of their net annual income. This tax is in lieu of all taxes for any purpose except those upon real estate.

All foreign insurance companies are subject to taxation under the reciprocity law. Life insurance companies organized under the laws of the state, except fraternal societies and purely assessment companies, pay an annual license fee of 3 per cent on the gross income within the state, except income from rents of real estate upon which the company pays taxes.

Foreign life insurance companies pay an annual license fee of $300 except when retaliatory taxes exceed $300, when the license fee shall be deducted therefrom. Since 1908 the annual license fee has been 3 per cent on gross premiums, and in lieu of all taxes, except on real estate.

Fire and marine insurance companies, other than domestic mutual companies, pay annually as a license fee 4 per cent of the amount of the gross premiums received during the preceding year, less reinsurance, return premiums, and cancellations.

Every underwriter or agent of any fire insurance corporation doing business in any city, village, or town containing an unincorporated village which has a fire department must pay to the treasurer of such municipality a tax of 2 per cent of all premiums received by them.

Fire insurance companies must also pay a tax of three-eighths of 1 per cent on premiums for the expenses of the state fire marshal.

Casualty and surety insurance companies pay annually as a license fee 2 per cent of all premium receipts.

The insurance commissioner, in consideration of the annual payment of $15, and in cities having more than 100,000 inhabitants of $50, may issue to any agent a license, revocable at any time, permitting such person to act as agent in procuring policies of fire insurance for any company, etc., not authorized to do business in the state. On such insurance placed in the state by an agent the agent pays to the insurance commissioner for the state, the tax of 2 per cent of the amount of gross premiums, less returns, etc.

All other insurance companies except domestic mutual companies pay an annual license fee of $300.

E. BUSINESS TAXES, LICENSES, AND FEES.

The following annual taxes and licenses are levied:

Peddlers who carry goods on foot, $20; with push or hand cart, $30; with one horse, $45; with two or more horses or automobile, $75; transient merchants, $75, and in addition a local license not exceeding $25 per day; dealers in bankrupt stocks or fire sales, $75 and a municipal license not exceeding $25 per day: circuses, shows, etc., $100; side shows, $20.

Owners of steamboats used for interstate trade on the Great Lakes pay a sum equal to 3 cents per net ton of the registered tonnage. This is in lieu of all other taxes.

Plank and toll roads pay as a license fee 3 per cent of the gross receipts of such roads. This is in lieu of all other taxes. A penalty of $500 is imposed for failure to make return or pay the license fee.

Boom companies which operate structures in the waters of the state for handling logs pay license fees of 2 per cent of the gross earnings of the business. Local taxes on the property may be deducted from the license fees.

License fees for fishing in certain lake waters.—Gill net, $2; pound net, $2; fyke net, drop net, seine, trammel net, trap net, and set hooks, $1. Nonresidents using gill nets in conjunction with boats, $100 per annum, with steam tug, boat, or launch without steam lift; $200 with steam lifter; $50 for using gill net in conjunction with any other boat, launch, or tug, except rowboats. License to fish in inland waters: Seine of 500 feet to 1,000 feet, $25; 1,000 feet or over, $50; for fyke or hoop nets, $5. Game warden to supply metal tags to licensee upon payment of 25 cents.

Inspection fee and license permitting any nursery, inspected, to offer for sale nursery stock, $10; agent's license, $1. Revenue to cover expense of inspection, etc.

Secretary of state.—Filing articles of incorporation—corporations for manufacture of beet sugar and dairy products, $10; amendments, $5; other corporations, $25; for each additional $1,000 of capital stock over $25,000, $1; amendments, $10, and $1 for each $1,000 of increase of capital stock; mining and smelting companies, if capital stock exceeds $150,000, $150; foreign corporations, filing articles, $25. Co-operative associations: Filing articles of incorporation, $10; amendments, $5; for recording copies of such articles, the register of deeds receives a fee of 25 cents.

Physicians.—Examination, $10; certificate to practice medicine, $5; dentists—examination, $25; registration, annual, $1; reciprocity license, $25. Pharmacists—registration, $5; renewal, $1; dealers in general merchandise who sell drugs and medicines pay a fee not exceeding $5. Midwifery—examination, $10; certificate, $5; registration in cities of the first class, 50 cents. Veterinary medicine and surgery—examination and license, $5; annual registration, $1. Embalmer—examination and license, $5; renewal, $1. Barber's registration fee, $1; renewal, $1.

Registration of automobiles, $5; auto dealers, $5; motor cycle, $2; duplicates, $1. After paying cost of administration, three-fourths of the remainder of the fund is to be paid to the county treasurers of the several counties in which persons paying the license fees reside, in the proportion in which such fees have been received, and to be used for highway purposes; the remaining one-fourth goes to the state highway fund.

A fee of $2 is paid to the horse-breeding department of the college of agriculture, University of Wisconsin, for examination and enrollment of each pedigree, in accordance with breeding of stallion or jack; renewal fee, $1 (biennial); transfer fee, 50 cents; duplicate license certificate fee, 50 cents.

Commissioner of banking.—Banks, trust companies, and mutual savings banks, except national banks, for annual examination, assets less than $100,000, $20; $100,000 to $300,000, $35; $300,000 to $500,000, $50; $500,000 to $1,000,000, $75; $1,000,000 or more, $75 plus $25 for each additional $1,000,000.

Commissioner of insurance collects the following fees: Every insurance corporation, person, or agent, except town

insurance companies, millers and manufacturers and church mutual, for filing the first declaration or statement, with certified copy of charter, $25; annual statement, $25; certificate of authority to agents, $1; certified copy of a paper, etc., 15 cents per folio; affixing seal, 50 cents.

Every fraternal benefit society is exempt from all state, county, district municipal, and school taxes or fees, but is required to pay all taxes and special assessments on its real estate and office equipment, and the same fees for filing its articles or amendments and annual report and for certified copies, as other insurance companies.

Railroad commission.—Public service corporations, for certificates authorizing issue of evidence of indebtedness for purposes chargeable to capital account, $1 for each $1,000 face value of evidence of indebtedness—these fees to be paid into the common school fund income.

In each action in a court of record having civil jurisdiction there shall be levied a tax of $1, which shall be paid to the clerk at the time of the commencement thereof, which tax on suits in the circuit court shall be paid into the state treasury and form a separate fund to be applied to the payment of the salaries of the circuit judges, and which tax in other courts of record the salaries of the judges of which are wholly paid by the counties or by any county and city jointly shall be paid to the county treasurer to create a fund to be applied to the payment of the salaries of such judges.

F. THE INCOME TAX.

On taxable incomes of individuals, firms, or copartnerships, on the first $1,000 or portion thereof, 1 per cent; second, 1½ per cent; third, 1½ per cent; fourth, 1¾ per cent; fifth, 2 per cent; sixth, 2½ per cent; seventh, 3 per cent; eighth, 3½ per cent; ninth, 4 per cent; tenth, 4½ per cent; eleventh, 5 per cent; twelfth, 5½ per cent; all additional amounts, 6 per cent.

On the taxable income of a corporation, joint-stock company, or association, the rate is one-half of 1 per cent on taxable income which bears a ratio of 1 per cent or less to the assessed value of the property used in its acquisition, and with each increase of 1 per cent or fraction thereof in the ratio of the taxable income to the assessed value of said property the rate increases one-half of 1 per cent up to a maximum rate of 6 per cent. Thus if a taxable income is over 5 and not more than 6 per cent of the assessed value the rate is 3 per cent.

All income, other than that by statute exempt, which residents of the state receive from within or without the state as well as that which nonresidents receive from within the state is taxable.

Where a resident receives income partly from within and partly from without the state, other than income derived from rentals, stocks, bonds, securities, or evidences of indebtedness, said resident is taxed on a proportion of the total income to be determined by the amount of property from which it is derived located or to be acquired within the state and by the business transacted within and without the state.

In the case of individuals, firms, and copartnerships the following deductions from the gross income are allowed:

(1) Necessary expenses, including salaries or wages, of less than $700.

(2) Salaries or wages of $700 or more, providing the name and address of the employee is reported.

(3) Uninsured losses during the year.

(4) Dividends received from other persons whose income has been taxed by the state, providing the amount of said dividends has been reported by the person taxed at the time of the assessment.

(5) Interest received from bonds or other securities exempt from taxation under the laws of the United States.

(6) Amount paid in taxes, other than inheritance taxes, and paid upon the property or business from which the income to be taxed is derived.

(7) All inheritances, devises, and bequests on which inheritance tax has been paid.

(8) Life insurance received to the amount of $10,000, if the taxpayer was legally dependent on the decedent.

(9) Current interest paid on existing indebtedness, providing taxpayer reports the name and address of the creditor.

(10) Compensation or pensions received from the United States.

The deductions 1 to 6 above apply also in the case of corporations, joint-stock companies, or associations. The interest paid on the bonds of a corporation is not, however, allowed as a deduction from the income, but the bonds are considered an interest in the property and business of the corporation; and the interest payable on the bonds is taxed to the bondholders as a whole and collected at the source.

After the aforesaid deductions have been made from the gross income, the remainder is taxable, subject to the following exceptions:

(1) (*a*) To an individual income up to and including $800; (*b*) to husband and wife, $1,200; (*c*) for each child under the age of 18 years, $200; (*d*) for each additional person, for whose support the taxpayer is legally liable and who is entirely dependent upon the taxpayer for his support, $200; (*e*) the aforesaid exemptions do not apply to incomes derived from sources within the state by nonresidents thereof, nor to firms, copartnerships, corporations, joint-stock companies, nor associations. In computing the exemptions and the amounts of taxes payable, the income of a wife is added to the income of her husband, and the income of each child under 18 years of age to that of its parent or parents, when said wife or child is not living separately from said husband, parent, or parents.

(2) Income of any mutual savings or loan and building association, or of any religious, scientific, educational, benevolent, or other association of individuals not organized or conducted for pecuniary profit.

(3) Incomes derived from property and privileges by persons now required by law to pay taxes or license fees directly into the treasury of the state in lieu of taxes, and such persons shall continue to pay taxes and license fees as heretofore.

(4) Income received by the United States, the state, and all counties, cities, villages, school districts, or other political units of the state.

The taxpayer is to make out a list of his taxable income on forms supplied by the tax commission or the assessor of incomes.

To secure diligence on the part of the assessor, he is subjected to a penalty of $5 for each unanswered question on each blank returned, the amount of penalty to be deducted from his salary. For individuals, the period covered for the annual income tax is in all cases the calendar year. For firms, copartnerships, corporations, joint-stock companies, and associations the period is for the calendar year except that where the books are customarily closed at a date other than December 31, or where the income is estimated on a basis other than that of actual cash receipts and disbursements the taxpayer may, with the approval of the tax commission, return for assessment the income or profits earned during the business years for which the accounts are customarily made up.

The assessor of incomes or the tax commission, as the case may be, may increase and correct the amount listed by the taxpayer. The state tax commission appoints three citizens in each county as a board of review of which the county clerk is ex officio the clerk.

The county board of review hears complaints and reviews the income assessment of individuals, firms, and copartnerships. A hearing before the county board is prerequisite to questioning the income assessment in the courts. A taxpayer dissatisfied with the ruling of the county board may appeal to the tax commission. The income assessed to corporations, joint-stock companies, and associations is reviewed by and complaints are made to the tax commission.

The computation of the amount due on the income tax, in the case of corporations, joint-stock companies, or associations is made by the state tax commission; in the case of individuals, firms, or copartnerships the computation is made by the county clerks. The amounts computed by the tax commission are certified to the county clerks; and the county clerks certify all amounts to the town, city, and village clerks.

The income tax is collected and paid in the same manner as personal taxes.

An important provision of the law is that which allows from the amount payable on the income tax a deduction of the amount paid on the personal property tax. Thus wherever the amount payable on the personal property tax equals or exceeds the amount computed as payable on the income tax, the latter will be canceled altogether. As far as its effect on the taxpayer is concerned, this provision leaves the same result as would have been secured by providing that where a person is charged with both an income tax and personal property tax only the larger of the two need be paid.

Of the revenue derived from the income tax, 10 per cent goes to the state, 20 per cent to the county, and 70 per cent to the town, city, or village in which the tax was assessed, levied, and collected.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included is the same for the county as for the state. Equalization between the towns is peculiar to the county and is made by the county board to determine the true relative value of all the taxable property in each city, town, and village. Such determination constitutes the county assessment and is the basis for apportioning all taxes for state and county purposes between towns, villages, and cities within the county.

Towns, cities, or villages aggrieved by the equalization made by the county board may appeal to the state tax commission to review the action of the board.

2. *Rate—*

The county board determines the amount of taxes to be levied for county purposes. There is a limit of 1 per cent on the total assessed valuation of the county, as fixed by the state board of assessment, except when necessary to meet indebtedness incurred prior to the enactment of chapter 430, Laws of 1907. The county tax and the state tax levied upon the county are apportioned among the several towns, cities, and villages by the county clerk, upon the basis of the value of property in each as determined in the county assessment.

County boards levy annually an additional tax, not less than one-twentieth nor more than one-fifth of a mill for relief of needy soldiers, sailors, or marines who performed military or naval service for the United States, and their indigent dependents.

3. *Collection—*

County taxes are collected, as are state and municipal taxes, by the city, village, or town treasurers.

B, C, D, AND E. POLL, INHERITANCE, AND CORPORATION TAXES, AND BUSINESS TAXES, LICENSES, AND FEES.

Counties levy none of these. Counties, however, receive 5 per cent on the first $50,000, 3 per cent on the next $50,000, and 2 per cent on all additional sums of inheritance taxes collected by the county treasurer for the state. (See State Revenues, C. Inheritance tax.)

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the methods of assessment and of equalization within each municipality are the same as for state and county purposes. Local taxes are levied and apportioned between individual property owners on the basis of the assessment as made and corrected by assessors and boards of review of the municipality without reference to county or state equalization.

2. *Rate—*

In towns the electors at town meeting may vote a tax for town purposes not to exceed 1½ per cent of the total assessed valuation of the town, exclusive of school taxes and liabilities lawfully incurred before passage of the act of 1907, unless a larger sum is needed for the building or repairing of highways or bridges, in which case an additional levy, not to exceed one-half of 1 per cent may be imposed; provided that not to exceed 2 per cent additional may be levied for school purposes under a township system of government. In cities the common council levies the taxes for such sums as it considers necessary, provided that the tax levied for municipal purposes, the tax required to be levied for state, county, county school, and school district purposes, and the taxes to meet delinquencies for the preceding year do not exceed 3½ per cent of the assessed value of the property in the city. The county board determines the amount to be raised in each town for the support of common schools.

In cities of 10,000 inhabitants or over, a special tax of not to exceed two-tenths of a mill may be levied annually for the support of special evening instruction or recreation in the high school buildings.

Cities with a population of 150,000 or more (Milwaukee) may levy a tax not exceeding two hundred and sixty-four one-thousandths of a mill for construction and maintenance of a public library.

Where a library has been given to any city, town, or village the municipality is especially empowered by statute to, by ordinance, levy and collect annually for the maintenance of the library an amount not to exceed 15 per cent of the amount of the gift, and the ordinance, once enacted, can not be repealed.

In cities of the first class (Milwaukee) the council may levy a tax, not exceeding, in the aggregate, exclusive of all taxes for public school purposes, 10 mills; for support of schools, 2.7 mills; three-tenths of a mill for repair and keeping in order of school buildings, etc.; and three-tenths of a mill for support of trade schools.

In cities of less than 40,000 inhabitants the council may levy an annual tax of 1 mill for park and playground purposes, and a special tax for school purposes not exceeding 3½ mills, in addition to the total tax authorized to be levied by such cities.

The towns may be divided into highway districts; and the taxes levied and the rates of levy, for highway purposes, in one such district may differ materially from those in an adjoining district.

In addition to the poll tax for highway purposes, an amount of not less than 1 nor more than 7 mills on the dollar may be assessed on the valuation of the real and personal property in each town or superintendent district by the supervisors; provided, that in addition to such amount there may be assessed an additional amount, not exceeding 15 mills. The maximum amount for towns having a population less than 500 is $2,000; towns containing two congressional townships or more, $3,000. Whenever the amount assessed by the supervisors is deemed insufficient to keep the highway in repair, an additional tax, not to exceed 7 mills, may be levied. For the purpose of removing snow, the superintendent of highways may levy a tax not exceeding one-fourth the amount assessed for regular highway purposes.

The town may levy a tax, not to exceed 1 mill, for purpose of "dragging" earth roads.

Cities of the first class (Milwaukee) may levy a tax not exceeding fifty-one one-hundredths of a mill for park and boulevard purposes.

A village sprinkling tax may be levied against benefited property.

3. *Collection—*

Municipal taxes are collected with the state and county taxes by the town and city treasurers, as described above.

The county boards of supervisors are empowered to make the highway taxes in all towns in the county payable in money; otherwise it is optional with the towns whether the taxpayer may pay the tax by labor on the highway.

Every person using only wagons or vehicles for hauling loads exceeding 1,000 pounds in weight, with wheels the tires of which are not less than 3 inches in width, shall receive a rebate of one-half of his assessed town, city, or village highway tax; not exceeding in any year $2, if the tire is more than 3 inches and less than 3½ inches in width, and $3 if more than 3½ inches in width.

B. POLL TAXES.

Every male inhabitant between 21 and 50 years of age, with certain exceptions, is required to pay a highway poll tax of $1.50; commutable at $1.50 for an eight-hour day of labor, 50 cents per day for wagon or plow, $1 per day for each yoke of oxen, and $1.50 per day for each span of horses, but payment in labor may be abolished in counties or towns as noted in a preceding paragraph.

The council of any city may provide by ordinance for the levy of a poll tax of $1.50, assessed upon the electors of such city, with certain exceptions.

C AND D. INHERITANCE AND CORPORATION TAXES.

There are no municipal inheritance or corporation taxes. (For distribution to municipalities of amounts collected from electric railway property tax see State Revenues.)

E. BUSINESS TAXES, LICENSES, AND FEES.

The following annual taxes and licenses are levied:

Peddlers, at rates fixed by municipal boards; dealers in bankrupt stock, auctions, and auctioneers, $10 to $300; (in addition, certain percentages are required); liquor license fees—towns having within their boundaries no villages or cities of 500 inhabitants or more, $100; cities, villages, and all other towns, $200. These fees may be increased by vote in towns having within their boundaries no villages or cities of 500 inhabitants or more to $350 or $500; in cities, villages, and all other towns to $500 or $800.

School Revenues.

There is appropriated annually to the common school fund income an amount equal to seven-tenths of 1 mill for each dollar of the assessed valuation of the taxable property in the state as determined by the state board of assessment, exclusive of the property of corporations which pay license fees or which are assessed for taxation by said board, to be derived annually as follows: Two hundred thousand dollars from the license fees or taxes paid by said corporations, and the balance from a tax levied upon all other taxable property in the state. The income and the proceeds of the state tax of seven-tenths of a mill are to be apportioned among the several counties. Further apportionment is then made among the towns, cities, villages, and districts. Each town and city is required to raise for the support of the common schools a sum not less than the amount received from the school fund.

School districts may be formed by the town and city boards and taxes are assessed as for town and county purposes. The amount, not to exceed 5 per cent of the property valuation, is to be voted by the inhabitants of the district.

Funds are also derived from the proceeds of state lands granted by the United States and from various other sources.

Union high school districts may be formed and taxes levied for support thereof.

Highway Taxes.

Highways may be planned by the counties and towns and designated as "prospective state highways." The

town and county together pay not less than 66⅔ per cent of the cost of road construction and not less than 80 per cent of the construction cost of bridges. The balance is paid by the state. The proportion paid by the town may in no case exceed that paid by the county .

The state highway fund consists of amount levied by state taxes, plus the amount paid by county for supervisory work by the state highway commission, and the surplus paid to and returned by the county treasurer on account of state aid.

The state fund is distributed to the counties. In no case does the state pay more than one-third of the cost of any road or more than one-fifth of the cost of any bridge. If the amounts available by the towns and counties call for an amount from the state fund larger than the amount available therein the amount available in the state fund is apportioned to the several counties in accordance with the proportion each county contributed to the total state tax of the preceding year and in accordance with the relative amounts raised within each county for participation in the state-aided road development. For 1911 and 1912 the sum of $350,000 was levied and the sum of $40,000 apportioned for the state highway commission. A county may issue bonds to raise its share of the funds; a town may issue 10-year bonds to raise its share of the funds.

Electors of towns may vote a special tax—minimum, for bridges, $250; for highways, $400; maximum, 3 mills on the dollar, unless the minimum amount above requires a greater rate; but by a three-fourths vote the electors may make a levy as great as 5 mills; any group of freeholders in a town may pay half of the town's share for a certain improvement and petition the town board for the payment of the other half, or the town board may accept donations for its whole share; towns which have voted for improvement of roads under acts of 1907 for the year 1912 can secure county and state aid the same as though the tax was voted under the act of 1911.

A county may alone improve roads or bridges without assistance from towns and secure state aid therefor. A county may levy a tax for the county's share of all road and bridge work. If the amount petitioned for by towns exceed the maximum aid from the state the county board may either (1) levy an amount equal to the county's share of improvements and allot to each petitioning town the proportionate share of the state fund allotted to the county in the same ratio that its petitioned amount bears to the total amount petitioned for by all the towns, or (2) the county board may select and grant those town petitions which the board deems most worthy of immediate action and levy a county tax sufficient to pay the county's share of the selected improvements. The county board must levy annually a tax of not over 3 mills for state-aided highways, the amount collected therefrom to be kept in a fund known as the "county road and bridge fund."

Owners of lands abutting a prospective state highway for 1 mile or more in length and reaching back on either side one-quarter of a mile or less may, as an inducement to the improvement of the highway, provide for a portion of the town's share of the expense by submitting such lands to taxation for not exceeding five years at the rate of not exceeding $10 for each 80 rods of their respective frontages. In that event the town may raise the necessary funds by issuing five-year bonds to be paid off in equal proportions annually. These bonds constitute tax levies upon the particular lands obligated for the improvement, and are paid as town indebtedness when falling due; and in order that they may be paid as they fall due the town clerk is to extend on the tax roll against the tracts of land so obligated the amount of the bonds, principal and interest. These special assessments are collected as are other town taxes.

As noted above (see Municipal Revenues), in addition to its contribution to state-aided roads any town or superintendent district may levy for road purposes a rate not less than 1 nor more than 22 mills on the assessed valuation; provided, that the amount thus raised in any town of 500 population or less must not exceed $2,000; but if a town of less than 500 inhabitants has two congressional townships, the amount levied may exceed $2,000 but must not exceed $3,000.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

The income tax laws were extensively amended relative to exemptions, taxable incomes and situs of property from which derived. The rates of levy on taxable incomes of corporations were charged to the following rates: On the first $1,000 or part thereof, 2 per cent; on the second, 2½ per cent; third, 3 per cent; fourth, 3½ per cent; fifth, 4 per cent; sixth, 5 per cent; and on all additional amounts, 6 per cent.

Numerous amendments relating to the administrative features of the inheritance tax, the taxation of public utilities and insurance companies, sleeping-car, express, freight line and equipment companies, water, light, heat and power companies, and to the statutes relating to the powers and duties of the tax commission were enacted.

Certain forest reserve lands were made subject to taxation for all purposes except state, at a rate not to exceed 1¼ per cent of the assessed value.

A number of minor changes were also made in the laws relating to the assessment of property, in the licensing of various occupations and businesses, and in license fees.

WYOMING.[1]

Wyoming draws its state revenues primarily from the general property tax. A state inheritance-tax law was enacted in 1903. There are no special taxes on corporations except insurance companies. Counties draw also from poll and license taxes, while the municipal revenues are drawn chiefly from the general property tax and business taxes and licenses and fees.

CONSTITUTIONAL PROVISIONS.

ARTICLE XV.

SEC. 1. All lands and improvements thereon shall be listed for assessment, valued for taxation and assessed separately.

SEC. 2. All coal lands in the state from which coal is not being mined shall be listed for assessment, valued for taxation and assessed according to value.

SEC. 3. All mines and mining claims from which gold, silver, and other precious metals, soda, saline, coal, mineral oil, or other valuable deposit, is or may be produced shall be taxed in addition to surface improvements, and in lieu of taxes on the lands, on the gross product thereof, as may be prescribed by law: *Provided*, That the product of all mines shall be taxed in proportion to the value thereof.

SEC. 4. For state revenue there shall be levied annually a tax not to exceed 4 mills on the dollar of the assessed valuation of the property in the state except for the support of state educational and charitable institutions, the payment of the state debt and the interest thereon.

SEC. 5. For county revenue there shall be levied annually a tax not to exceed 12 mills on the dollar for all purposes, including general school tax, exclusive of state revenue, except for the payment of its public debt and the interest thereon. An additional tax of $2 for each person between the ages of 21 years and 50 years, inclusive, shall be annually levied for county school purposes.

SEC. 6. No incorporated city or town shall levy a tax to exceed 8 mills on the dollar in any one year, except for the payment of its public debt and the interest thereon.

SEC. 9. There shall be a state board of equalization, composed of the state auditor, treasurer, and secretary of state.

SEC. 10. The duties of the state board shall be as follows: To fix a valuation each year for the assessment of live stock, and to notify the several county boards of equalization of the rate so fixed at least 10 days before the day fixed for beginning assessments; to assess at their actual value the franchises, roadway, roadbed, rails, and rolling stock and all other property used in the operation of all railroads and other common carriers, except machine shops, rolling mills, and hotels in this state; such assessed valuation shall be apportioned to the counties in which such roads and common carriers are located, as a basis for taxation of such property: *Provided*, That the assessment so made shall not apply to incorporated towns and cities. Said board shall also have power to equalize the valuation on all property in the several counties for state revenue and such other duties as may be prescribed by law.

SEC. 11. All property, except as in this constitution otherwise provided, shall be uniformly assessed for taxation, and the legislature shall prescribe such regulations as shall secure a just valuation for taxation of all property, real and personal.

SEC. 12. The property of the United States, the state, counties, cities, towns, school districts, municipal corporations, and public libraries, lots with the buildings thereon used exclusively for religious worship, church parsonages, and public cemeteries shall be exempt from taxation, and such other property as the legislature may by general law provide.

SEC. 13. No tax shall be levied, except in pursuance of law, and every law imposing a tax shall state distinctly the object of the same, to which only it shall be applied.

SEC. 14. The power of taxation shall never be surrendered or suspended by any grant or contract to which the state or any county or other municipal corporation shall be a party.

OFFICERS.

The officers most directly concerned with taxation are:

1. The city or town clerk in cities under 9,000 population, who is ex officio assessor, assesses property in the city or town for purposes of municipal taxation. In cities of over 9,000 (second class) the assessment for municipal taxation is made by the county assessor.
2. The city or town board of equalization, consisting of the members of the council and the city clerk.
3. The city or town treasurer, who collects municipal taxes.
4. The county assessor, elected for two years. Salaries are graded according to total valuation as fixed by the state and county boards of equalization. Enter upon their duties the first Monday in January after election.
5. The county treasurer, elected for two years, who is collector of taxes.
6. The county board of equalization, composed of the board of county commissioners.
7. The state board of equalization, composed of the secretary of state, treasurer, and auditor.
8. The state tax commissioner, appointed by the governor for a term of four years, who has general supervision over all boards of commissioners and equalization.

STATE REVENUES.

A. GENERAL PROPERTY TAXES.

1. *Base—*

a. The property included and exempt.—All property, real and personal, not exempted by law is subject to taxation:

(1) Real property includes land, possessory claims, buildings and improvements, ferries, franchises, and toll bridges.

(2) Personal property includes domestic animals and dogs, bank deposits and specie, credits, mortgages, stock and securities, annuities, and all other property not specified.

(3) Exemptions, in addition to public property, are: Public libraries; churches; parsonages; public grounds and cemeteries; fire engines and station houses; family Bible, pictures, and schoolbooks; household and kitchen furniture, beds, bedding, wearing apparel of every person, and the food provided for each family, not to exceed in all the value of $500; property used in the manufacture of beet sugar in the state for a period of 10 years where 75 per cent of the beets used are grown in the state; pensions, salaries, and payment for services expected to be rendered; all mortgages upon property

[1] This compilation is derived mainly from the following sources:

Revised Statutes of Wyoming, in force December 1, 1899. Compiled by J. A. Van Orsdel and Fenimore Chatterton, by authority of the fifth state legislature: Chaplin, Spofford & Mathison, Laramie, Wyo., 1899.

Laws of Wyoming, 1901: Chaplin, Spofford & Mathison, Laramie, Wyo., 1901.

Revenue Laws of Wyoming, 1910, compiled by W. O. Richards, commissioner of taxation.

The Session Laws to 1913.

within the state, whether real or chattel, together with the indebtedness thereby secured: *Provided*, That the mortgaged property, whether real or personal, shall be taxed at its true value. By act of February 1, 1901, lands and buildings used for schools, orphan asylums, or hospitals, and lodge rooms of secret, benevolent, and charitable societies not for private profit are exempt. State, county, municipal, and school district bonds owned by residents of the state were exempted in 1905.

b. Assessment.—There is one assessment list for state and county taxes and another list for city and town taxes. The assessment roll for the state and county taxes is made up annually by the county assessor on the basis of schedules made out by him or his deputies, but sworn to by the owner. The basis of assessment is the actual or full cash market value as of April 1, except that the valuation of property may be fixed or limited by the state board of equalization. The penalty for refusing to make oath as to the correctness of the list or for failing to list all property is the doubling of the ordinary assessed valuation. Live stock is assessed at an average valuation per head, which is fixed by the state board of equalization.

Bona fide debts may be deducted from credits, except notes given as premiums of insurance, unpaid subscriptions to institutions or societies, or unpaid subscriptions to capital stock.

The assessment of railroads, express companies, telegraph and telephone lines, and car companies of all sorts, for state, county, and school district taxation, is made by the state board of equalization on the basis of statements made by the companies, and the assessment so made is apportioned to the counties on the basis of mileage in the counties, where it is reapportioned to school districts by the county commissioners. The assessment for purposes of city and town taxation is made by the municipal officials. Property not used in connection with the operation of the railroad or telegraph lines, such as machine shops, rolling mills, and hotels, is assessed by the county assessors as real estate.

Merchants are to list the average value of their capital during the year previous; commission merchants, the average monthly amount since the last assessment.

Manufacturers are to list the average value of the raw materials in their hands.

Capital and surplus of banks and banking associations, except national banks, doing business in the state, are assessed for taxation. The amount of capital actually invested in real estate shall be deducted from the total and such real estate assessed for taxation at its actual value. Shares of stock in national banks are assessed to the owners at their par value.

The gross product of all mines and mining claims from which gold, silver, and other precious metals, soda, saline, coal, mineral oil, or other valuable deposit is produced, is to be returned by the owner and assessed for taxation by the state board of equalization. The tax on such products is in addition to taxes assessed on surface improvements and in lieu of taxes upon the land.

Personalty brought, driven, or coming into the state prior to the last day of each year which remains for a period of not less than 30 days is assessed in the same manner as if it had been in the county at the time of the annual assessment, provided it has not been assessed in some other county for that year.

All live stock upon the open range, for the purpose of taxation, has its situs in the county in which is located the "home range." If the "home range" of any herd or brands of live stock is located in two or more counties, the assessment is apportioned. Live stock is to be assessed in the county where located on the first day of April, or if brought into the state after that date, in the county where first brought in. The owner of any live stock which is to be brought into the state after the first day of April is required to give 10 days' notice by registered letter of the removal of the stock to the assessor of the county into which the stock is first to be brought. The owner of any live stock which has been assessed must give notice to the county clerk of any removal from the county, and a copy of this notice is transmitted by this officer to the clerk of the county where the stock is to be taken.

c. Equalization.—The county board of equalization equalizes between individuals, hears complaints on the assessments, adds omitted property and assesses the value thereof, and corrects the valuations in the assessment roll.

The state board of equalization equalizes the valuation of real property among the several counties and towns in the state, and may add to or deduct from the aggregate valuation of real property in any county.

2. *Rate*—

The rate for state revenues, except for the support of state educational and charitable institutions, and for the payment of the state debt and the interest thereon, is limited by the constitution to 4 mills on the dollar, and the tax to be levied and collected by each county is at this rate unless a lower one is determined by the state board of equalization.

For maintenance of state institutions, the state board of equalization, in its judgment, may authorize the following levies: General hospital fund, one-eighth of 1 mill on each dollar; fund for the insane, one-half of 1 mill on each dollar; university tax, one-half of 1 mill on each dollar; capitol building, one-eighth of 1 mill on each dollar; Sheridan Hospital, one-eighth of 1 mill; charitable institutions, 1 mill on each dollar; and a tax sufficient to pay the interest on state bonds; special assessment providing for formation and organization of drainage districts, assessments to be made on persons and property benefited thereby.

Special taxes levied for 1912 were as follows: Wyoming Industrial Institute, three-eighths of 1 mill on the dollar; University of Wyoming, three-eighths of 1 mill on the dollar; Hospital for Insane, one-half of 1 mill on the dollar (annually). In the case of live stock and personalty remaining in the state more than 30 days and less than 6 months only one-half the tax of that upon other like property is levied.

3. *Collection*—

All state, county, and school district taxes are due and payable, without demand, after the third Monday in September, at the office of the county treasurer. When, through error, property has been omitted from taxation, the back tax can be collected, without interest, for five years past, or, in case property has changed hands in the meantime, back to the time when the present owner came into possession.

After December 31 all unpaid taxes are delinquent, and a penalty of 8 per cent is added and the whole draws interest at that rate. Taxes are a lien on personal property assessed and on real property for both real and personal taxes from December 31. Delinquent taxes are collected by distress and sale.

B. POLL TAXES.

There is no state poll tax.

C. THE INHERITANCE TAX.

All property, real, personal, and mixed, which shall pass by will or by the intestate laws of this state from any person who may die seized or possessed of the same, while a resident of this state, or if decedent was not a resident of this state at the time of his death, which property or any part thereof shall be within this state, or any interest therein or income therefrom, which shall be transferred by deed, grant, sale, or gift made in contemplation of the death of the grantor or bargainor or intended to take effect, in possession or enjoyment after such death, to any person or persons, or to any body politic or corporate which shall become beneficially entitled, in possession or expectation, to any property or income thereof, shall be and is subject to a tax at the rate hereinafter mentioned.

When the property passes to or for the use of any father, mother, husband, wife, child, brother, sister, wife or widow of the son or husband of the daughter, or any adopted child, or to any lineal descendant borne in lawful wedlock, the rate is 2 per cent of the clear market value. There is exempt from this tax $10,000 of each bequest.

In the case of all other beneficiaries the rate is 5 per cent of the clear market value. Any estate which may be valued at a less sum than $500 shall not be subject to this tax.

A life estate to beneficiaries of the first class with remainder to a collateral heir or stranger in the blood, or body politic or corporate, is not taxable, but such remainder is taxable, and the tax together with interest thereon remains a lien upon the property until paid.

All taxes imposed on inheritances are due and payable at the death of the decedent; if paid within six months from the accrual thereof, a discount of 5 per cent is allowed, but if not paid within one year from the death of the decedent interest at the rate of 6 per cent per annum is charged.

The entire amount of this tax is paid to the county treasurer of the county where collected, and is to be used for the sole purpose of the permanent improvement of county roads. Such roads shall not be built within the corporate limits of any city or village.

D. CORPORATION TAXES.

Every corporation or association, whether domestic or foreign, doing business in the state, is taxed upon all property owned by it, situated in the state, including all money, credits, and assets, at the actual value of such property. The capital stock of such corporation or association is not taxed to such corporation.

Express companies pay a tax of 5 per cent of the gross receipts within the state, which is in lieu of all taxes, state and county. One-half goes to the state and one-half to the counties on a mileage basis.

Insurance companies pay 2¼ per cent of the gross premiums received from business in the state on the basis of annual reports to the insurance commissioner, who collects the tax between February 1 and March 30 in each year. Insurance companies are subject to no other taxation except taxes on real and personal property and such fees as are imposed as a condition precedent to the transaction of business within the state.

E. BUSINESS TAXES, LICENSES, AND FEES.

Corporations pay for filing certificate of incorporation as follows:

For a capital stock of $5,000 or less, $5; $5,000 to $100,000, $10; over $100,000, $10, plus 5 cents additional for each $1,000 in excess of $100,000; for filing a certificate of residence, etc., $2.50; incorporation fee of a mutual fire insurance company, $5; the insurance commissioner (auditor) shall collect from every insurance company for the first application, examination and issuing certificate of license, $50; for filing each annual statement, $25; for each certificate of authority, $1; and other minor fees. Fidelity insurance companies may insure against burglary, theft, or housebreaking for an annual fee of $25 and $1 annually for each agent appointed in the state; the fees required of fraternal associations are $15 for filing certificate, and $10 annually thereafter.

Examination and certificate to a certified public accountant, $25; registered nurse, $10.

Temporary teachers' certificate, 50 cents; second and third class and special teachers' certificate, $1; first class and professional teachers' certificate, $1.50.

Hunters' licenses as follows: Resident, $2.50; game bird, $1.50; special, $17.50; nonresident, $5; special, $50; alien, $20.

Physicians' and surgeons' examination, $25; pharmacist, original registration fee, $10, annual fee, $2; assistant pharmacist, $5 and $1.50, respectively.

Fraternal benefit society.—Filing certificate, $15, and $10 annually thereafter; license to sell nursery stock, $25; bar examination and admission to practice, $15; for the sale of liquor on each dining or buffet car, $50 annually; water permit, $2, recording same, $1; examination and report on mining claim, $25, and $25 per day additional for services of state geologist for making detailed statement and report; filing mine statement, $1.

By secretary of state.—Certificate and seal, $1; filing each paper, $1; commission to a notary, $5; commission to a commissioner of deeds, $5; extradition writ, $5; filing trademark certificate, $5; recording contract for the sale of railroad property, $8; and other minor fees.

By the commissioner of public lands.—Filing application to lease or purchase land, $1; recording same, for each 160 acres or less, $4, and for each additional 160 acres or fraction, $2; recording each lease of one section, $10, and for each additional 160 acres or fraction, $2; recording each mineral lease of 160 acres or less, $10, and for each additional 160 acres or fraction, $2; for granting and recording right of way, $5; certificate of purchase of one section or less, $2, and for each additional section or fraction, 50 cents; duplicate certificate of purchase, $2; recording patent, $2; recording assignment of lease, 50 cents.

By supreme court.—For declaration of intention proceedings, $10; certificate of citizenship, $2.50; certificate to an attorney to practice, $3; docketing each action, $1; entering decree, $1; and certain minor fees.

Recording or making certified copy of any document, $1 for the first folio and 15 cents for each subsequent folio.

F. THE INCOME TAX.

There is no income tax in Wyoming.

County Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property included and the assessment and equalization thereof are the same for county as for state purposes.

2. *Rate—*

County taxes are levied by the county commissioners, of which the aggregate, including the general school tax, is limited to 12 mills on the dollar, exclusive of state revenue and the payment of the public debt and interest thereon.

The board of county commissioners may levy a tax, not to exceed 2 mills on the dollar, for the construction of bridges, between counties; also one not to exceed one-fourth of 1 mill for county library purposes; and a tax not to exceed six-tenths of 1 mill for general school purposes. The county commissioners are annually to expend from the revenue a sum not to exceed 2 mills on each dollar of the assessed value of the taxable property in the county for the support of the poor and lunatics; and an amount not to exceed 3 mills for road purposes.

3. *Collection—*

Collection is made by the county treasurer the same as for state taxes.

B. POLL TAXES.

Under the provisions of the constitution each county levies a poll tax of $2 on every person between the ages of 21 and 50 years for school purposes. It is the duty of the assessor to prepare a list of the polls, and the tax when properly assessed becomes due and payable on the delivery of the tax list to the treasurer. Members of the fire department and their wives, and active members of the state national guard, are exempt.

Delinquent poll taxes may be collected by the sale of the taxpayer's property. From the proceeds of such a sale the collector deducts the amount of the tax and $1 as his fee, and returns the remainder to the taxpayer.

The county commissioners may levy on males between 21 and 50 years of age a special road tax of $2, which is to be collected according to road districts, and may be worked out. Members of fire companies and of the state national guard are exempt.

C AND D. INHERITANCE AND CORPORATION TAXES.

The entire receipts from the inheritance tax imposed by the state are retained by the county in which collected and are used for the sole purpose of the improvement of county roads, and one-half of the 2½ per cent tax against insurance companies is the only special corporation tax accruing to the county.

E. BUSINESS TAXES, LICENSES, AND FEES.

Licenses are issued by the sheriff of each county as follows:

Auctioneers, permanently located, $60 per year; auctioneers and peddlers generally, $300 per year; pawnbrokers, $25 per quarter; intelligence office, $15 per quarter; exhibition, $10 to $50 per day; circuses, $50 per day; gaming licenses—faro, monte, keno, rondo, lansquenet, roulette, vingt et un, and craps, $1.50 per quarter; billiard table license, not for private use, $5 per quarter; bowling alley, $10 per quarter; game license, $1 per annum, to nonresidents, $40, guides, $10. Liquor licenses—sale within 5 miles of a railway station or town, city, or village, $1,000 per annum; wholesale dealers, $300 per annum; car liquor license, $10 per car. License taxes for liquor selling, billiard tables, and other game or games within the corporate limits of any city, village, or town go to the municipality. Inspection of horses or mules about to be shipped or driven out of state (sheriff of county is inspector), 15 cents per head. Itinerant vendors—on foot, $5; on bicycle, $50; one-horse vehicle, $200; two or more horses, $300; automobile, $200; traveling by any other manner, $250; doing business in any building, tent, car, or boat, $250; each assistant to itinerant vendor, $25. Beef peddler's license, $5.

Municipal Revenues.

A. GENERAL PROPERTY TAXES.

1. *Base—*

The property subject to municipal taxation is the same as that subject to taxation by the state and county. Incorporated towns and cities make their own assessment rolls, however, and have their own boards of equalization.

2. *Rate—*

No incorporated city or town shall levy a tax to exceed 8 mills on the dollar, except for the payment of its public debt and interest thereon.

In 1911 an act was passed making it unlawful for any city or town to levy a tax for city or town purposes which will produce a sum of money increasing by more than 2 per cent the total produced within their respective jurisdictions for the preceding year, except that by proper vote a further increase may be authorized for one year, but thereafter the additional sums raised by such specially authorized levy shall not be taken into account in computing the authorized 2 per cent annual increase in the levy.

3. *Collection—*

Taxes are collected by the town or city treasurer.

B. POLL TAXES.

Cities and towns do not levy a poll tax. The residents of municipalities, however, are subject to the county poll tax both for school and road purposes.

C. THE INHERITANCE TAX.

There is no municipal inheritance tax.

D. CORPORATION TAXES.

Cities granting exclusive franchises for water or light, or any franchises for street railways or electric or gas lighting or heating must contract to receive at least one-fifth of all the net earnings and revenues in excess of 6 per cent net profits upon the capital actually invested under such franchise.

E. BUSINESS TAXES, LICENSES, AND FEES.

All taxes on licenses issued by the county for the sale of liquors, keeping billiard tables, or other game or games, when the licensee carries on the business within the corporate limits of any incorporated town, city, or village, is to be collected by the municipality and applied to the general revenue purposes thereof.

Cities have power to raise revenue by collecting license taxes on any corporations or businesses within the limits of the city, including the sale of liquor. The license tax on dogs is from $1 to $5.

Incorporated towns may license and tax dogs, hucksters, peddlers, pawnbrokers, exhibitions, shows, the sale of liquors, billiard tables, bowling alleys, and other games, drays, hacks and carriages, and other vehicles as the town council may prescribe.

Underwriters are required to pay to cities a duty or rate of 1 per cent upon the amount of all premiums.

School Revenues.

The county is subdivided by the county superintendent of schools into school districts, not to exceed 25 districts to a population of 10,000. The tax limit for school purposes by local school districts is 3½ mills, except that, by proper vote, etc., the rate may be increased to a maximum of 8½ mills. The county assessor at the time of making the county assessment also assesses the property of the district. The board of county commissioners equalizes the assessment of the several school districts. There is levied by the county commissioners at the time of the levy for county purposes the tax voted in the district, upon the district assessment, and upon that of railroad and telegraph property as made by the state board of equalization. Collection is made by the county treasurer the same as for county taxes.

The general county levy for school purposes is limited to 3 mills. The $2 poll tax is for county school purposes.

Apportionment of school funds in the county treasury is made by the county superintendent as follows: $150 to each school district for the payment of teachers, and all moneys remaining pro rata in accordance with the number of pupils, except that all poll taxes collected for school purposes by the county treasurer are to be paid over to the school district in which they were collected.

All fines and penalties under the general laws of the state belong to the public school fund of the respective counties.

LEGISLATION AFFECTING REVENUE LAWS: 1913.

Shares of stock of all banks, banking associations, loan or investment companies organized under state laws or of the United States, are assessed on the par value thereof in the name of the shareholder in the city or county where such bank, etc., is located. The surplus and undivided profits are assessed to the shareholders, provided, that only the surplus and undivided profits of such association or company as exceeds 50 per cent of the capital stock thereof is assessed.

Sheep or bucks driven into the state are to be inspected, for which a fee is charged as follows: 3 cents per head for sheep, and 25 cents for total number of bucks. Fees to be paid into state treasury to credit of the sheep inspection and indemnity fund.

The state board of live stock commissioners collect a fee of $1 for recording brands, etc. Fees for the "inspection fund."

Corporations pay an occupation tax as follows:

Not organized for profit, no capital stock, $5; capital stock $10,000 or less, $10; over $10,000 to $25,000, $15; over $25,000 to $50,000, $20; over $50,000 to $100,000, $25. If capital stock is more than $100,000, $25, plus 20 cents for each additional $1,000 of capital stock in excess thereof. For filing amendments increasing capital stock, same rate as original. For filing other amendments, $5. For filing each certified copy of charter or amendment thereto, of a foreign corporation, the fees are the same as for domestic corporations.

Embalmers, $15 for the first year and $2 annually thereafter; recording cattle brand, $1; certified copy of same, 50 cents; trapper's permit, $5.

The tax on Wyoming live stock which grazes part of the year in another state is to be based on the proportionate time it is in Wyoming. A reciprocity tax was provided for on live stock belonging in another state but which grazes part of the year in Wyoming.

The licensing of all automobiles using public highways was provided for and requiring an annual fee of $4 in addition to small service fees. Automobiles are to be taxed as personal property, but the law provides that no license fee shall be collected by cities, towns, or counties.

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